



Economic Empowerment of Women: National Mecanisms and Legislations

Regional Report



The Regional Economic Empowerment of Women Project (REEWP)
Project produced with the financial support of the Government of Canada provided through the Canadian International Development Agency (CIDA)

Le projet régional d'habilitation économique des femmes (PRHEF)
Projet a été réalisé grâce au soutien financier du gouvernement du Canada agissant par l'entremise de l'Agence canadienne de développement international (ACDI)

المشروع الإقليمي لتمكين المرأة اقتصادياً
يتم هذا المشروع بدعم من الحكومة الكندية من خلال الوكالة الكندية للتنمية الدولية (سيديا)



البنك الأردني الهاشمي للتأمين المصرفية



**Regional Economic Empowerment
of Women Project (REEWP)
Center of Arab Women for Training and Research
And
Oxfam – Québec**

**National Legislations, Policies, and
Mechanisms of Impact on Women's
Economic Empowerment
In the Arab Region**

**Case study in
Jordan, Lebanon, Palestine, and Tunisia**

**Rural Women and
Local Development**
Regional, Analytical and Evaluative Study:
Tunisia, Palestine and Jordan

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This publication was produced with the financial support of the Government of Canada provided through the Canadian International Development Agency (CIDA)

This report was published in the framework of the Regional Economic Empowerment of Women Project (REEWP), a project undertaken with the support of the Government of Canada through the Canadian International Development Agency (CIDA). The content, opinions and interpretations expressed within this publication are the sole responsibility of the authors unless specifically stated otherwise. It can in no way be taken to reflect the views of the Government of Canada or OXFAM-Québec.

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**National Legislations, Policies, and Mechanisms of Impact on
Women's Economic Empowerment In the Arab Region**

Case study in

Jordan, Lebanon, Palestine, and Tunisia

Executive Summary

Executive Summary

The desk review study presented here carries the title "National Legislations, Policies, and Mechanisms of Impact on Women's Economic Empowerment". The desk review was conducted using the information that is available for each one of the four countries under study – Jordan, Tunisia, Lebanon and Palestine – and took into consideration the specific country contexts, and the general regional context. The results and findings of this desk review study are consolidated in form of a situational analysis, based on which related quantitative and qualitative indicators can be developed (Part One and Part Two).

The analysis makes clear the extent to which the efforts undertaken by countries – enactment of obligations of States party to international conventions; policies, programs, and strategies – have contributed, or not, to eliminating existing forms of discrimination against women and, more specifically, to increasing women's economic empowerment. The analysis looked at the situation of Arab Women in general, or at specific groups of women in particular which may differ according to geographic, cultural, social, and political specificities within their respective contexts. The analysis adopted a comprehensive approach given the strong inter-related nature of the factors that affect the economic empowerment of women.

During the past few months, while the work was underway, it was difficult or even impossible to distance and isolate the analysis from the major changes that hit the region. The so called Arab Spring raised important questions as to the dimensions that should be taken into account for the purpose of this analysis, and consequently the question of which definition of 'economic empowerment' would be the most appropriate to adopt throughout this study. The partners in the Regional Economic Empowerment of Women Project (REEWP) decided to adopt one broad definition that was consistently applied by the research team.

The desk review was not only based on readily existing data and information, but also made use of the findings of rapid participatory assessments that were conducted to support the information basis of the study. Rapid participatory assessments were carried out in each one of the four countries and included as many stakeholders as possible and as necessary within the scope of the study, taking into account the different political situations.

Generally speaking, the countries in the region have undertaken considerable efforts to implement policies and programs that focus on good governance, gender integration, enhancement of the social security systems, increasing levels of decentralization, and creating partnerships with civil society organizations and the private sector. They have also recognized the importance of the practical and strategic gender interests and needs. Moreover, they have taken in and implemented a number of initiatives that had sought to empower women and increase women's opportunities to access and control resources.

Military occupation and the spread of internal conflicts and terrorism during the last two decades have made already existing challenges more complex for a number of countries in the region: the Occupied Palestinian Territories, Iraq, Sudan, Algeria, and Somalia, to name only a few. The new Arab revolutions, which occurred almost simultaneously in Tunisia, Egypt, Libya, Yemen, Bahrain, and Syria have brought led to the rise of new challenges and uncertainties regarding the future of the countries in general, and women in particular. The countries under occupation and those countries affected most by the Arab Spring uprisings suffer from violence, political instability,

insecurity at public and individual levels, conflicts, emergencies that disrupt the provision of basic services, uprooting of communities, and harsh economic conditions. The ways and extents to which countries are affected differ, and each country must be looked at within its own context. Generally, the political and social developments have had a negative impact on the situation of human rights and on the living conditions of the people, especially on women and children.

Despite the countries' legislative recognition of women's rights, the traditional viewpoints and practices, and applying religious concepts when addressing women's issues continue to undermine women's human rights. Discrimination continues to be part of the private and the public lives of women, and so do polygamy, submission to the husband, deprivation of deciding for oneself or for children, illiteracy, unemployment, poverty, lack of participation in administration and political positions, etc.

Despite reforms, family laws are still in contradiction with international conventions with respect to a number of issues including the minimum age for marriage of girls, and deprivation of legal and Islamic Shari'a based rights to inheritance. In addition, there are social, cultural, and legal factors that prevent women from living in balanced and prosperous environments and deprive women of their political, civil, economic, social, and cultural rights as stipulated by national constitutions and legislations, and in international conventions which signatory states are obliged to comply with.

To end patriarchal domination is more difficult than toppling a dictator. Overthrowing dictatorships does not necessarily bring about changes in positions of countries towards women's issues, and may even lead to instating more oppressive dictators who constitute a greater threat to women since human rights come hand in hand with women's rights. Today, women can have their own laptops and smart phones, and they make use of modern information technology and social media tools through which they may access the internet's social communication websites. They can place their worries on top of decision and policy makers' agendas. Women all over the world launched the "21st Century's New Wave" women's movement through which they organized themselves for the purpose of lobbying for the long awaited change. Hence, maybe this time, women may use this opportunity for change and realize their demands for equality and realization of legitimate rights.

The year 2011 was, in many aspects, the year of the Arab women. Women have been, right from the start, in the front lines of the protests that broke out in Tunisia in December 2010. They led the demonstrations, enthusiastically blogged and posted news on internet pages, covered news and riots as journalists, launched social media campaigns (on Facebook and Twitter), smuggled ammunition in some countries, and provided medical attention to the wounded.

More importantly, the events did away with the myth of the frail and helpless Arab women who are destined to stay at home, and who only deserve to be taken care of for working at home. It has been proven that many women in the countries of the Arab Spring had been very efficient in mobilizing people to take part in the events. Moreover, many women in these countries have been active in professional trade unions, and they have pro-actively deployed their expertise to introduce change to their countries' political structures.

However, in the aftermath of the revolutions, women's concerns grew, and legitimate questions arose: Would these revolutions for democracy⁽¹⁾ lead to achieving women's social, civil and political rights and freedoms that are a prerequisite to achieving women's economic empowerment? And, would the gains of the past with regards to women's rights be preserved or done away with?"

1. Or the so-called democratic revolutions

The outcomes of the parliamentary elections in Tunisia, Egypt, and Morocco indicate that some of the worries of women are not groundless. According to the United Nations' Report of March 2, 2012 – produced by the Commission on the Status of Women – and the data provided by the Inter-Parliamentary Union, women not only occupy less than 30 percent of the seats of all Arab countries' parliaments, but also their average representation stagnates at 10.7 percent since 2011. In Tunisia, and despite the equality law, the number of female parliamentarians dropped by two. Moreover, the findings of January 2012 show that the number of female parliamentarians in Egypt in the aftermath of the multi-party elections dropped from 12 percent to 2 percent.

However, other areas and national parliaments saw progress. Such progress was considered slow by the Inter-Parliamentary Union; it stood at 19 percent in 2010 and 19.5 percent in 2011. Ms. Michelle Bachelet, the first Under-Secretary General and Executive Director of UN Women, has confirmed this slow pace. She urged world leaders to work on enhancing women's contribution to public life without which democracy could not be established. Other concerns by women include fearing that the constitutional and legal reforms would result in a setback in the status of women's rights because of the interpretation of Islamic Shari'a that old and newly founded political movements and parties propagate. In the countries of the Arab spring, such-political parties currently won majorities in parliaments, and they demand that the Islamic Shari'a be the basis for legislations, including basic laws.

When women have the opportunity, they actively participate in public life. Women are represented in all professions, including the justice sector and the army, even though the rate of their representation may be low. Neither statutory laws nor Shari'a laws prohibit women from owning property or managing lands or real estates, thereby confirming women's right to private ownership. Women also have a right to receiving financial assistance from their husbands, or male relatives such as fathers, brothers, etc., even if they have income or other sources. However, there is a big gap between rights in theory and the reality in practice.

Much advancement has been made in areas of political, social, and economic empowerment of women, and also in improving the living conditions of women, their families, and their communities. However, many challenges are still present; they are centered on having equal access to all resources and equal utilization and control of such resources, including education, information, social and economic resources, services, free time, and decision making. Overcoming these challenges will remain strongly dependent on additional national efforts and interventions.

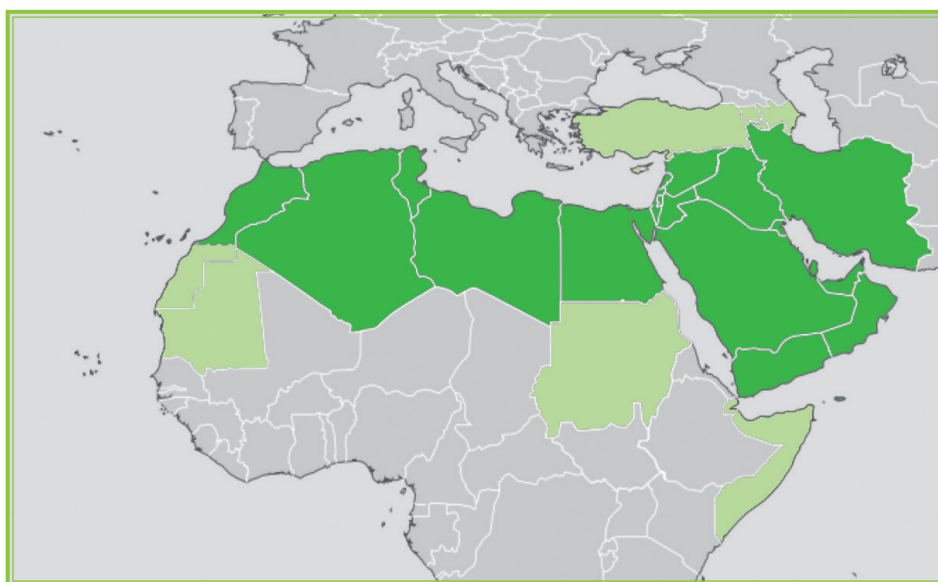
Reports presented by the relevant countries on several international occasions (2009) support the fact that there are still many challenges ahead. This study confirms the challenges through review and analysis of relevant documents, indicators, and through an evaluation of the viewpoints of stakeholders – right holders and duty bearers, women and decision makers – in each of the countries involved in the study. What can be concluded from the analysis of causality relationships in the areas related to the current legal, political, social, and economic situations of women in the Middle East and North Africa is that the region is heading toward a more difficult and dangerous situation. The following findings explain more.

Introduction

1. The regional context

1.1. Region and population

The world regards the Middle East and North Africa with mixed feelings, mainly with admiration, but also with concern. The Middle East and North Africa region (MENA) controls two thirds of the world's known oil reserves; its economic and political importance is disproportional to its population size. The MENA region has a high population growth rate, the fastest growing population group being that of youth. In 2007, the total population of the MENA region reached approximately 432 million inhabitants, yet it is one of the least densely populated regions in the world. In terms of high population growth rates, the MENA region occupies the second place on a global scale, after Sub-Saharan Africa. The demographic trends of the MENA region show that its population has quadrupled since 1950, and that its population size is expected to reach 700 million inhabitants by 2050, exceeding the expected population of Europe for that same year. This continuous growth in population size further adds to the complexity of adapting to the social changes, the economic pressures, and the often painful political transitions in the region⁽²⁾. The MENA region⁽³⁾ stretches from Morocco in the west to Bahrain in the east. It includes parts of Africa, Asia, and it borders with the Atlantic and the Indian Oceans, the Mediterranean and the Red Seas, and the Arab/Persian Gulf.



- Countries generally considered part of the MENA region
- Countries sometimes included in the definition of the MENA region

2. Farzaneh Roudi-Fahimi, Mary Mederios Kent: Challenges and Opportunities—The Population of the Middle East and North Africa, Population Bulletin Population Reference Bureau's Middle East and North Africa Program, June 2007

3. There is more than one definition of what constitutes the MENA region. Various organizations adopt a definition by which the region is constituted not only of Arab countries, but also Iran, disputed territories, and partially recognized countries.

The MENA region does not only consist of Arab countries, but it also includes Iran and other countries. According to some definitions, Pakistan and Afghanistan may also be considered countries within this region. Therefore, for the sake of clarity and differentiation, it is preferable to use a term such as the Arab World, or similar terms, to refer to only those states that are members of the Arab League.

The Arab World expands over 13 million square kilometers covering North Africa, north east Africa, and south west Asia. The part of the Arab World that is located in Asia is called the Arab East, whereas the part of the Arab World that is located in North Africa to the west of Egypt and Sudan is called the Arab West. The location of Egypt is disputable. While Egypt is geographically considered part of the African continent, it is closer to the Arab East than it is from a cultural point of view.

The term Arab World or Arab Region is often used to specifically refer to the Middle East, while the largest geographic area that constitutes the Arab World (8 million square kilometers out of the total of 13 million square kilometers) in addition to its biggest populations are located in North Africa. Moreover, two of Africa's largest countries are located in North Africa, namely Algeria and Sudan, whose geographic territories cover 2.4 and 1.9 million square kilometers respectively⁽⁴⁾.

All 22 Arab countries are members of the Arab League, which represents a multi-cultural and multi-ethnic structure. Unfortunately, there is a lack of accurate, up-to-date, and comprehensive figures on annual population growth, fertility rates, and mortality rates for all Arab League countries. The estimated population size of the Arab League member states is 340 million people⁴, which is less than 5 percent of the world population; the majority of the population lives in and around key urban centers. Egypt with its population of 80 million inhabitants is the Arab League's largest member state, whereas Djibouti is the smallest country with only approximately 500,000 inhabitants. Arab Gulf states have unique population characteristics since they attract large numbers of foreign laborers. The foreign labor force in most of the Arab Gulf States is larger than the native population of these states. In the United Arab Emirates, for instance, the native population makes up only 20 percent of the total population. In addition, the region is characterized by a rich cultural and social diversity, and by different economic and political dynamics, which in combination produce a variety of patterns of coexistence of which community and country specific characteristics emerge. This report covers four of the geographically smaller Arab countries, with a lower population density: Jordan, Lebanon, Palestine, and Tunisia. The total population of these four countries is around 25,236,000 persons.

1.2. Political structure and economic system

The political and economic importance of the MENA region is not reflected in its population size. Two thirds of the world's oil reserves are controlled by countries of this region, complemented by high rates of population growth. According to the demographic trends, the population of the MENA region has increased fourfold since 1950 and is expected to reach 700 million in 2050. Hence, the region's population size would exceed the expected population size of Europe. However, this continuous population growth adds to the complexity of developing local capacities that are capable of adapting to social changes, economic pressures, and the often painful political transitions⁽⁵⁾.

1.2.1. Political structure

There are various forms of political governance systems in the Arab World including emirates, monarchies and republics. A series of major political events that took place throughout the region since the early 1990s has greatly destabilized it. The increased use of the internet has

4. According to Wikipedia, Algeria is three quarters the size of India; it is one and a half the size of Alaska, the largest state in the United States of America. The Kingdom of Saudi Arabia is the largest country in the Arab Middle East with an area of 2 million square kilometers. Lebanon is the smallest independent Arab country in the Middle East and North Africa (10,452 square kilometers). The smallest Arab country is Bahrain (665 square kilometers). Bahrain is also the smallest Arab island.
5. Farzaneh Roudi-Fahimi, Mary Mederios Kent: Challenges and Opportunities—The Population of the Middle East and North Africa, Population Bulletin Population Reference Bureau's Middle East and North Africa Program, June 2007

played a major role in shaping these developments, as it made it easier to organize protests within a specific country, or even across countries. Since 1996, a growing number of educated youth and secularly oriented citizens have gained access to modern media and have made use of communication through the internet. With these tools at their hands, these activists formed, within a short period of time, what has now become known as a third power, one that contrasts the two traditional powers that had dominated the political scene throughout the second half of the 20th century, namely the Pan-Arabist and the Islamist streams⁽⁶⁾.

This third power has proved its undeniable presence and its lead role during the popular uprisings that took to the streets in many countries of the Arab World in the time period between the end of 2010 until the beginning of 2011. These uprisings are protests against the dominion of political elitism and political corruption, and they demanded the realization of political, economic, and social rights.

The third power managed to break the wall between virtual reality and reality on the ground, by bringing protests to the streets, holding sit-ins, strikes, demonstrations, and acts of civil disobedience. The demands of the third power can be summarized in the following points:

- To ensure dignity, equality, and justice
- To realize human rights, and especially the right to work
- To improve living standards
- To ensure democratic transitions of power under best circumstances and as soon as possible
- To create a political environment that is conducive to democratic development, one that would meet the demands and aspirations of the popular movements and the various groups within society

The Arab World has undergone radical changes as a result of the massive protests against governments and political systems, and the calls for the downfall of presidents and their ruling regimes. These events, collectively named "the Arab Spring", and the sacrifices that have been made in the course of these events, have given rise to high aspirations among the populations in the region. The ensuing reality, however, did not match the aspirations and remained disproportional to the sacrifices and the suffering of those who took part in these events, women and men alike. On the contrary, women's rights are under threat, and the youth in particular was kept away from the official political spheres. Moreover, threats to security and stability have become more imminent, specifically because of the emergence of conservative and extremist movements.

1.2.2. Economic systems and the economic situation

The MENA region consists of countries that differ in their economic strengths, ranging from the powerful economies of the oil-rich Arab Gulf states to economies such as those of Egypt, Morocco and Yemen which possess only relatively limited resources when compared to their population sizes. Two factors mainly impacted the wealth of economies during the fourth quarter of the past century: oil prices, and the economic policies and structures that ensured economic leadership would be concentrated among the ruling elite of states.

Most, if not all, Arab countries are developing economies whose main revenues come from oil and gas exports, and from the sale of other raw materials. Arab countries have recently experienced economic growth because of the increases in oil and gas prices which doubled three times between the years 2001 and 2006, but also because of targeted efforts by some countries to diversify their base of economic production.

6. The political Islamic movement

Industrial production has also increased. The quantities of produced steel in Arab countries increased from 8.4 tons in 2004 to 19 tons in 2005⁽⁷⁾. However, the 19 tons of steel constitute only 1.7 percent of the world's steel production, and remain even below Brazil's steel production. The Cooperation Council for the Arab States of the Gulf and the Arab Maghreb Union form the Arab World's two main economic organizations⁽⁸⁾. The Cooperation Council for the Arab States of the Gulf has achieved some financial and monetary success, including the planning for a single currency for the Arab Gulf states. The Arab Maghreb Union, which was established in 1989, has also achieved some success, including the construction of a 7000 kilometer long main road that would be built across North Africa, linking Mauritania to Libya to the Egyptian borders. The central expansion phase, which would link Morocco to Algeria to Tunisia, was expected to be completed in 2010.

In recent years the region's economic growth has received increased recognition. The World Bank Report of August 2009 confirmed that the Kingdom of Saudi Arabia remains the strongest Arab economy in terms of its Gross Domestic Product (GDP), and that it therefore ranks 11th on the global level, and that it maintains its position as one of Asia's largest economies. Egypt and Algeria follow Saudi Arabia not only at the regional level, but as the second and third largest economies in terms of GDP in Africa (after South Africa) in 2006. Qatar is the richest developing country in the world in terms of GDP per capita.

In 1999, the GDP of all Arab countries combined totaled 531.2 billion dollars, which is less than the GDP of Spain, which registered 595.5 billion dollars. According to 2006 statistics, the region's contribution to the global economy was two fifths of GDP and three fifths of international trade. The World Bank reports state that the economies of the MENA region were recovering from the global financial crisis, just as did other economies around the world. The World Bank reports also expected for the year 2010 an economic growth rate of 4.4 percent for the MENA region, based on an expected increase in local absorption, or gross domestic expenditure, and a positive impact on local economies through external demand. However, the pace of recovery differs among the economies of the region according to their initial economic points of departure and according to the impact the global economic crisis has had on the three main channels through which it spread: the financial sector, the oil price, and the balance of payments which in turn affected the trade flow, the cross border monetary transfers, and direct foreign investment⁽⁹⁾.

The outbreak of the "revolution" towards the end of 2010, which was sparked in Tunisia, and the internal political, economic, and social crises that accompanied the revolution have taken their toll on the economic situation, which had been an initial trigger for the revolutions in the first place. Poverty, injustice in the distribution of economic resources including access to loans, and high rates of unemployment among youth and women, including the highly educated, were among the causes that sparked the revolution. High unemployment rates constitute one of the chronic, structural problems that the MENA region has been facing for many years now. The global financial crisis in combination with the internal crisis aggravated the unemployment problem and diminished the scope for any future improvements in this regard.

The four countries under study here are torn between focusing on strengthening institutions and meeting the basic needs of its peoples in a time where the economic situation is deteriorating. Unemployment rates and prices have doubled within one year, accompanied by strikes and sit-ins in a climate of overall instability. These developments have negatively impacted a number of

7. Opening speech by Al Qudari Mahmoud, the Algerian Minister of Industry, at the 37th General Assembly of the Arab Union for Iron and Steel, Algeria, May 2006.

8. It is worth taking into account here the definition of the CCASG and the date of its formation, especially since Iraq was excluded from this union. Yemen has applied to join. As for the Arab Maghreb Union, it is worth mentioning that its functioning was disrupted early on because of political reasons, but that it was revived following the Arab spring revolution.

9. Economic update: Recovery from the Crisis, May 2010 <http://go.worldbank.org>

sectors, especially the sectors of tourism and manufacturing industries, in addition to the freezing of investments for sector development. In addition to their country specific political dynamics, it can be said that Jordan and Lebanon are suffering economically from the Syrian crisis because of their previously close links to the Syrian economy. As for Palestine, it continues to fight for its survival at all levels and to see an end to the imposed siege. In such conflict ridden contexts, it is usually women who pay the highest price, regardless of the origin or causes of conflict.

2. Human development and gender in the region: situation and indices

According to World Bank reports⁽¹⁰⁾, the MENA region has been less impacted by the global economic and financial crises than other regions of the world which are more enmeshed in the global economy. Yet, the financial crises had a considerable impact on local poverty reduction efforts. The region's average GDP growth rate dropped to 1.9 percent in 2009 after it had reached 3 percent in the previous year (2008) and at a time where the prognosis for 2010 was a GDP growth rate of 4.4 percent. The varying impact the financial crisis had on the different economies will be explained, in brief, in later sections while making reference to the different political contexts of the countries under study.

The annual Human Development Report for the year 2011, issued by UNDP, covers 187 countries and regions, among them 19 Arab countries and the Occupied Palestinian Territories. The report reflects different trends in human development in the countries it covers. The Arab countries have achieved increasing progress in the past forty years in terms of income, education, and health (which constitute the dimensions measured by the Human Development Report; according to progress made within each of these dimensions, countries are assigned ranks on the human development scale).

The Human Development Report places Oman, the Kingdom of Saudi Arabia, Tunisia, Algeria, and Morocco among the first ten countries in terms of achieving major progress in the dimensions its index [HDI] measures. Since 1970, Libya occupies the first rank among the ten first countries in achieving progress in areas not related to income generation. As for the remaining Arab countries, the Human Development Report shows variations in the levels of human development trends. The United Arab Emirates was assigned rank 30 on the human development scale, followed by Qatar (rank 37) and Bahrain (rank 42). These countries all fall within the first of the four groups into which countries are divided based on the report's categorizations. Sudan on the other hand, occupies place 169, preceded by Djibouti (rank 165), and Yemen (rank 154). These three countries fall within the last of the four country groups.

The same report states that in the past 40 years, and compared to other developing countries, Arab countries have achieved great progress in human development under the leadership of centralized governance systems, specifically in the areas of income generation, education and health. Despite this progress, gender and generation gaps still pose a serious threat to continuous human development. If sustainable development is to be achieved, then bold and innovative initiatives are needed to overcome these gaps and to mitigate environmental risks.

Finally, the UNDP Human Development Report 2011 further states that the Arab Spring has given way to inclusive participation and representation in governments, and that "the mystery of the Arab democracy is approaching a sudden end, after which will follow the expansion of people's liberties and the rise of real opportunities for everyone throughout the region."

6. For more information, visit web.worldbank.org/WBSITE/EXTERNAL/EXTARABICHOME/EX

Framework and Methodology of the Study

1. Framework for desk review and rapid participatory assessment

This report is produced as part of an ongoing cooperation between the Center of Arab Women for Training and Research (CAWTAR) and Oxfam–Québec in the implementation of a multi-partnership project that pursues the objective of strengthening women’s economic empowerment in Lebanon, Jordan, Palestine, and Tunisia. The project entitled “Regional Economic Empowerment of Women Project” (REEWP) aims at supporting an enabling environment that is conducive to sustainable economic development, specifically through creating economic empowerment opportunities for women. The project is undertaken with the financial support of the Government of Canada provided through the Canadian International Development Agency (CIDA).

1.1. Desk review context

1.1.1. Background of the REEWP

The Regional Economic Empowerment of Women Project (REEWP) aims to create an environment that ensures sustainable development and supports economic empowerment of women. The REEWP’s expected long-term outcome is to strengthen the participation of women (including women aged 18 to 35) in economic development in target countries, which include the West Bank and the Gaza Strip, Jordan, Lebanon, and Tunisia. The duration of the REEWP is four years and a half (2009-2013).

The three mid-term outcomes of the REEWP are:

1. REEWP key partners improve women economic empowerment in the target countries and in the MENA region both at the advocacy and networking levels;
2. REEWP Key partners and other stakeholders (governmental and non-governmental) adopt more effective evidence based interventions for the economic empowerment of women;
3. REEWP Key partners provide better financial and non-financial services to support the economic empowerment of women.

1.1.2. Regional cooperation

In order to develop a regional plan of action as part of the REEWP, the Regional Office of Oxfam–Québec in Amman conducted a situation assessment in cooperation with the project’s four partner organizations⁽¹¹⁾. The purpose of conducting this assessment was to identify common issues of interest, joint priorities at the regional level, additional efforts needed to effectively contribute to the economic empowerment of women, and indicators – both general and partner specific. It is worth mentioning here that previous achievements of this project – such as the development of women’s economic empowerment indicators – will be followed by further success because of the expertise each partner organization brings into the project, unified in their determination and vision for achieving the economic empowerment of women in the region.

Consensus was reached among all partners to conduct two key studies – within the scope of the overall study – that cover the four countries of this project. It was also agreed that these two studies would be conducted in cooperation with key stakeholders in the four countries, and in coordination with the four partner organizations. CAWTAR was responsible for the supervision of the process of producing the two studies, supported by the Regional Office of Oxfam–Québec in Amman.

11. Oxfam– Québec, the Palestinian Businesswomen’s Association (Asala), the Jordanian Hashemite Fund for Human Development (JOHUD), Center of Arab Women for Training and Research (CAWTAR), and the Collective for Research and Training on Development-Action (CRTD.A).

In addition to the "Rural Women and Local Development" study, the desk review – which is the topic of this document – evaluates the Impact of the Legal Framework, Policies, and Institutional Mechanisms on the Economic Empowerment of Women, with a special focus on rural women. Specifically, the study defines existing weaknesses and gaps (such as centralization and decentralization, work distribution from a gender perspective, lack of law and policy enforcement, lack of awareness of women's rights, etc.) which prevent rural women from accessing and becoming in control of resources. In short, the study identifies and analyzes the factors that stand in the way of realizing women's human rights, including their economic rights. The outputs and findings of the two studies will be used to support the national and regional campaigns that call for change, and which will be implemented during the final year of the REEWP.

1.1.3. Key Partner Organizations

1.1.3.1. Oxfam-Québec

Oxfam-Québec is a Canadian non-governmental organization. Oxfam-Québec seeks to support its partners in developing countries through creating sustainable solutions for poverty and ensuring justice. In Quebec, Oxfam-Québec mobilizes the population there and creates spaces and opportunities to express solidarity with the issues that the organization addresses. Oxfam-Québec started operating in the Middle East in 1989. Oxfam-Québec has developed a network of partner organizations at the national and also the regional levels. Oxfam-Québec is a member of the international confederation Oxfam. Oxfam is an international confederation of 17 organizations working together in over 90 countries to find lasting solutions to poverty and injustice. Center of Arab Women for Training and Research (CAWTAR)

CAWTAR was established in 1993 as a response to a common need – frequently expressed by governments in the region, national and regional non-governmental organizations, and international organizations – for establishing a research center that specializes on the analysis of the situation of women. The vision for such a research center was that it would become a resource for information through conducting academic research and field studies, collecting statistical data, developing indicators on the economic, social, and political situation of women, and through producing and disseminating analyses, statistical data and indicators. CAWTAR is one of the few regional centers in the Arab region that is specialized on research and training on women issues, gender, and development. The mission of CAWTAR is to contribute to the empowerment of women in the Arab region, both from a gender and development perspective, and to enable them to claim and practice their human rights, and to advocate for and lobby for equality between men and women.

CAWTAR selected the Tunisian team of experts. The team members are: Hafeth Za'faran, economic expert on employment issues, assigned with the tasks of coordination, covering economic aspects, and preparing the national report; Buthaina Qriba'a, regional gender advisor, assigned with the task of covering policies and mechanisms; Rawda Smodi, judge, charged with the task of covering legislations and laws, including international covenants; and Saneem Ibin Abdullah, researcher, responsible for conducting field research that had been previously planned for implementation in Tunis with a focus on mapping rapid evaluations of situations and knowledge. .

The team members selected from Lebanon are: Mrs. Reem Al Jabi, previous expert at the International Labor Organization and currently employed by UN Women in Kabul, Afghanistan; Mrs. Raghida Ghamloosh, specialized researcher on participatory rapid evaluations and field research; and Dr. Fay'za Ibin Hadeed, team leader. Both the Tunisian and Lebanese team received direction and needed support in their respective countries, including support in conducting a review meeting to adopt research results held in Tunis, originally planned to be held in Lebanon.

At the regional level, CAWTAR supervised the entire desk review process, including defining the desk review framework and approach, and technical specifications. CAWTAR in consultation with the other key partner organizations in this project, also selected and contracted experts from Jordan, Palestine, Lebanon and Tunisia, and provided technical assistance to the teams. Other related activities implemented by CAWTAR included organizing a regional coordination meeting for the research teams assigned to conduct the two studies, preparing the report on Lebanon, supporting national meetings, technical reviewing of the first and second drafts of the national reports and consolidation, preparing the regional report, organizing the regional symposium to review and adopt the findings of the reports, identify priorities to drive change and enhance the economic situation of women through empowerment.

1.1.3.2. The Palestinian Businesswomen's Association (Asala)

The Palestinian Businesswomen's Association (Asala) was founded in 1997 when it was first established under the name of the Center for Women's Economic Projects (CWEP). Later, in January 2001, the center was registered in accordance with the Palestinian Non-Governmental Organizations Law under its current name. Asala provides services to women living in poverty by involving them in successful economic activities so as to help them improve their lives and social status. Asala aims, through its programs and services which evolve around the economic participation of women, at empowering the women of the Palestinian community, strengthening their role and their status in society, and enabling them to achieve economic independence. Asala achieves its aim by means of encouraging Palestinian women to start, run and lead income-generating projects. Asala also provides women with loans, as well as training and technical advice to ensure the successful management of the small businesses. Asala seeks to diversify its products and loan programs in order to achieve its objectives in providing financial and non-financial services to Palestinian women. Asala also seeks to provide distinguished loans that have affordable requirements, simple procedures, and easy repayment plans.

Asala selected the team of experts as follows: Advance Consulting Services, Manal Al Ju'ba, Rania Sinjlawi, Nahid Freij, and Mohanad Sanduqa. The team was provided with directions and assistance at the national level and with regards to the review meeting which was held in Tunis.

1.1.3.3. The Jordanian Hashemite Fund for Human Development (JOHUD)

The Jordanian Hashemite Fund for Human Development (JOHUD) was founded in 1977 as a leading non-profit, non-governmental organization that seeks to ensure sustainable human development. Through its network of community development centers throughout the Hashemite Kingdom of Jordan, JOHUD is capable of motivating people to improve their living conditions and ensuring access to their basic rights. JOHUD aims to create models of best practices in the area of human development through placing people at the center of the development process and empowering Jordanian men and women to assume a central role in shaping their future. Since its establishment, JOHUD has sought to improve the living standards of the Jordanian people in general, and the living standards of the more disadvantaged groups in particular. It currently focuses on empowering local communities to become actively involved in a sustainable development process. This is done through an active network of 50 community development centers (CDC) throughout Jordan that work on building bridges of trust, improving effective outreach and communication, and implementing decentralization through a participatory approach which increases the active involvement of women and youth in the development process.

JOHUD selected two experts from Jordan: Dr. Abeer Basheer Dababneh, assisted by Dr. Reem Abu Dalbooh. The team was provided with directions and assistance at the national level and with regards to the review meeting which was held in Tunis

1.1.3.4. The Collective for Research and Training on Development – Action (CRTD.A)

The Collective for Research and Training on Development-Action (CRTD.A) is a non-government organization based in Lebanon. The work of CRTD.A focuses on gender, inclusive citizenship, gender equality, social justice, as well as economic rights, leadership and participation. The strategy of CRTD.A includes oriented researches, training, and capacity building activities which are carried out in parallel with media work, outreach and knowledge building activities, advocacy and lobbying. CRTD.A is a member of the "Women's Learning Partnership for Rights, Development, and Peace", and it represents the Middle East and the Arab Gulf States in the "Gender Network and International Trade", in addition to being the Lebanese coordinator of the Lebanese "Equality without Reservation" campaign and the international Gender Equality Architecture Reform (GEAR) campaign.

CRTD.A refrained from taking on the desk review study because it had already conducted a study on the legal status of women previously. After reading the first draft, CAWTAR decided to draft the desk review study for the purpose of maintaining a unified methodology for all countries, and to ensure comparability of findings, mechanisms and other study products, as is explained in the section on methodology.

2. Regional context

The Arab World has and continues to suffer from the impact of globalization, restructuring and reforms, economic crises, political turmoil and their consequences. The region further suffers from rising instability, insecurity, extremism, potential for more conflicts, and from ongoing occupation. Since 2010, these factors have taken more intense forms, and they continue to directly and greatly affect the economic situation and civil peace, but also the status of women, their legitimate rights and their human security. During times of turmoil and instability, women constitute easy political targets.

While in some countries women have come closer to obtaining their human and legal rights and/or enjoying such rights, women in other countries are still searching and testing ways for obtaining their human and legal rights. During the past two years, previous gains made in the area of achieving women's rights have come once again under threat, precisely because of the recent events which, initially, seemed to promise a breakthrough in achieving equality between men and women and in women empowerment. However, the seemingly positive change that sweeps through the region does not carry with it any signs that would give hope to improvements in the situation of women, but rather indicates a drop-back with regards to women's rights.

This change in the situation of countries in the region requires us to remain not only alert, but to mobilize even more efforts toward safeguarding past gains, and toward fostering these gains so as to create a reality that differs from the one the women of this region have lived until now. In line with these thoughts, further action is required in form of campaigns that call for the protection of past gains and that guide the direction of desired change that is currently being driven by the so-called "revolutions for democracy". Further activism is needed to alter and/or eliminate all forms of discrimination against women which are still stipulated in legislations and laws, and which are therefore consequently practiced. There is an urgent need to formulate and implement policies which ensure that women's lives are free from hardship, and which protect women's rights, including the right to life and the right to be safe from torture and violence. Such policies need to be geared more effectively toward eliminating all forms of violence against women and ensuring their full citizenship.

2.1. State of development and gender in the countries under study

2.1.1. Jordan

Human development indices have noticeably improved in Jordan during the past two decades. Despite this improvement, the 2011 Human Development Report sets Jordan back on rank 95 (out of 187 countries covered) with an indicator⁽¹²⁾ of 0,698 compared to its previous ranking in 2010 (82 out of 169 countries) with an indicator of 0,681. The 2011 Human Development Report shows a loss of five ranks for Jordan in the factor of inequality which constitutes one part of the human development index.

Among the several challenges Jordan faces are those related to discrimination against women, which becomes evident when looking at some of the published statistics through a gender lens. This is said despite considerable achievements that Jordan has made in the field of education. According to the Department of Statistics in Jordan, the rates of students enrolled at primary schools in 2009 were 49.0 percent for females and 51.0 percent for males. Enrollment rates of students in secondary schools in that same year (2009) were 53.3 percent for females and 46.7 percent for males, and university enrolment shows for females and males were 50.9 percent and 49.1 percent respectively. Moreover, the rates for females and males at training colleges were 46.6 percent and 53.4 percent respectively compared to 54.2 percent for females and 45.8 percent for males at colleges that focus more on theory than on practice. Yet, illiteracy rates for the same year for the age group of 15 years and above are 10.8 percent for females compared to 3.7 percent for males.

The gap between the economic participation of males and females is wide, with a weighted average for economic participation of only 14.9 percent for females and 64.8 percent for males. Unemployment rates among females and males aged 15 and above were 24.1 percent and 10.3 percent respectively. The rate of females enrolled in social security was 25.4 percent compared to 74.6 percent for males. Men pose the majority in the real estate market, while women constitute only 17.0 percent of the total number of land owners and 22.1 percent of the total number of apartment owners⁽¹³⁾.

Despite the efforts and the achievements of the Jordanian economy, the country faces many economic problems including an ever increasing external debt that the country cannot serve, deficit in the trade balance, and a huge gap between exports and imports. Jordan also suffers from the scarcity of economic resources, a large labor force but lack of employment opportunities, in addition to the general consequences of the financial and economic crises. In this context, poverty and unemployment, and the ability to create employment opportunities are the most salient challenges that face the labor intensive economy of Jordan, where human resources constitute the main economic factor. Consequently, women's participation in the economy and in the labor force remains weak, despite the increase in the economic participation of women (14.9 percent in 2009 compared to 12.3 percent in 2000; Source: Department of Statistics, 2010). In a regional comparison, the Jordanian economic participation rate of women is lower than the regional average, where the economic participation of women has almost reached 25 percent. Hence, the conclusion is that Jordanian women lack access to financial resources and therefore face difficulties in achieving economic empowerment.

2.1.2 . Tunisia

The 2009 Human Development Report⁽¹⁴⁾ ranks Tunisia 98 (HDI value 0.769) among 192, placing it within the group of middle income countries. In that group, Tunisia occupied the 9th place after 7 Arab Gulf states, Lebanon, and Jordan. Tunisia aspires to join the group of countries with a high human development index, aiming at reaching a value greater than 0.8. The national trends of

12. The calculation is based on three factors including Gross Domestic Product per capita, life expectancy at birth, and education indicators.

13. Women and Men in Jordan in Figures, the Department of Statistics, 2010, Amman, Jordan

14. Average life expectancy at birth is 73.8 years (rank 62), literacy among adults (above 15 years of age) is 77.7 percent (rank 101), and school (primary, secondary, and tertiary) enrollment gross rate is 76.2 percent (rank 89).

human development foresees for 2014 that Tunisia achieve a reduction in the illiteracy rate by 14 percent, an increase in life expectancy at birth to 75.3 years, and an increase in the per capita Gross Domestic Product to exceed 8,300 dinars.

However, the 2011 Human Development Report assigns Tunisia a human development index value of 0.698 and therefore ranks the country 94 within the list of 187 countries included in the report. When looking at the details of the index for Tunisia it shows that when the value of the index is adjusted for the "inequality" variable there results a difference of 25.2 points, and hence a lower HDI value of 0.523. This adjustment caused the downgrading of Tunisia by 7 ranks in the overall ranking. According to pre- January 2011 official data, Tunisia has witnessed strong growth over the past 20 years (with a 5 percent average), and an increase in the GDP per capita of 46 percent over 10 years, and a decrease in inequality (according to the GINI coefficient: 41.6 percent in 1995, 40.8 percent in 2000, 41.4 percent in 2005⁽¹⁵⁾). These trends are attributed to targeted social and economic development policies, and a continued commitment to investment in human capital.

The poverty rate dropped sharply to 3.8 percent, and human development indices registered encouraging developments⁽¹⁶⁾. However, and despite the strong growth witnessed in 2008, Tunisia failed to decrease its unemployment rate, which was 14.1 percent in 2008 out of which 30 percent of the unemployed are from the age group 20-24, and with variations of unemployment distribution between coastal and in country regions and between different governorates. The five-year plan (2010 – 2015) that was adopted by the pre-revolution government of Tunisia targeted an annual average growth rate of 5.5 percent, with expected shares for each sector as follows; 4.9 agriculture (4.9%), industry (18.6%), manufacturing industries (6.5%), and services (70%). This shows that the Tunisian economy was putting more emphasis on services and less on industrial development⁽¹⁷⁾.

The pre 2010 data show an average economic activity rate of 45.8%, 67.8 % for men and 24.2% for women⁽¹⁸⁾. By looking at the statistics, it becomes evident that women's participation was considerable in all sectors: civil service (40.4%), medicine (38 %), pharmaceuticals (71%), judges (27%), lawyers (31%), service sector (33%), and in industry (43%). As for the private sector, a total of 18,000 female entrepreneurs were registered, and 70% of major companies in Tunisia are headed by women⁽¹⁹⁾. Despite the regulatory and legislative provisions that support female employment, considerable variations related to employment prevail between men and women and which translate into a big difference in unemployment rates (17.8% for women, 2.8% for men, 2007). Through a policy of creating work incentives, the authorities implemented a series of programs that involved public and private enterprises, and public administration departments at the local level so as to enhance the absorption capacities of the labor market. These programs were equally open for men and women.

The current political situation has had a negative impact on the economic situation as the few previous examples show. Experts support this assumption and anticipate further complications in the future. On January 18, 2011, the Tunisian–German Chamber of Commerce⁽²⁰⁾ launched a 24-hour opinion poll on the economic situation in Tunisia among 450 registered members of the Chamber⁽²¹⁾, and which in total employ more than 50,000 persons across the country. The findings of the poll show that these members suspended their entrepreneurial activities on Monday, January 17, giving in to high pressure exercised by their employees and which in some cases included acts of vandalism.

15. GINI Coefficient measures inequality in the distribution of income at societies.

16. Average life expectancy at birth and school enrollment rates (primary, secondary, and tertiary)

17. Joint situation assessment, UN country team, Tunisia, 2010

18. Sharing expertise in trainingETF: Etude de Pays, Tunisia 2005

19. Tunisia's answer to the Beijing +5 questionnaire addressed (1995) and the 23rd extraordinary session of the GA (2000) May 2004.

20. AHK-Tunisia

21. Ibid

“It is still premature to provide a comprehensive assessment of the situation in Tunisia, but there are undeniable signs that the economic pressure on the region is increasing.” This statement was made by the official spokesperson of the International Monetary Fund on 20 January, who added that “the average growth rate of the country is far below the critical rate which would make it possible to create employment opportunities, especially when taking into account that unemployment is an ongoing, chronic problem in Tunisia.” We see this statement confirmed by the social and economic reality that we lived throughout the past months.

Higher educational levels are frequently registered among employment seekers. It is therefore safe to say that the government failed to introduce policies that ensure the creation of employment opportunities which would absorb newcomers to the labor force, and especially those with higher educational degrees. It is worth noting that this situation is not unique to Tunisia. Still, Tunisia has the highest unemployment rate among the Arab countries, reaching more than 14%, out of which 30% are from the age group 15 to 29 as was previously mentioned above⁽²²⁾. Having failed to secure employment in the field of their qualifications, university graduates tend to launch micro businesses in the unofficial sector. This economic choice requires financial support from families. Other graduates decide to immigrate to other countries, often through illegal ways. Others, including girls, are even willing to risk their lives and to die drowning (Alharqa) in quest for a better life.

2.1.3. Palestine

The 2011 Human Development Report “The Sustainable Future We Want” ranks the Occupied Palestinian Territories 114 out of 187, with a human development index value of 0.641. Adjustments to this value by the “inequality” variable are not available. Some national statistics may shed light on the situation in some of the sectors which would justify this ranking. Here, the unique situation of Palestine cannot be disregarded. In the period 2000 and 2009, literacy rates among females aged 15 and above increased four times more than the increase in literacy rates among males of the same age group. Still, literacy rates among men remain higher than among women. . Secondary education students (males and females) largely opt for the scientific and human sciences streams, rather than pursuing other streams of professional education. Females choose human sciences more than males, a trend which is similar in most Arab countries. The gender based gap in higher education between 1995 and 2008 was reduced in favor of females registering 1.3 in 2008 compared to 0.9 in 1995. A drop in fertility rates⁽²³⁾ was registered for the years after 2006, while the rate had remained constant during the period 1994 and 2006. The mortality rates among female infants and among those below five years of age are less than those among males. However, the rates increase among neonatal females compared to males (8.6 percent and 6.1 percent, respectively).

In 2008, the overall employment rate was 67.4%, 65.9% among the male population and 74.1% among females, compared to 70.5% in 2007, 68.6% among males and 78.6% among females. Men’s participation in the labor force is four times higher than that of women, with a constant gap throughout the timeframe 2001-2010. Women with 13 years or more of education make out the largest portion of the female labor force in contrast to men where those with 1 to 6 years of education constitute the largest group within the male labor force. The findings of a 2008 survey show that 38.4% of workers in the Palestinian Territories are employed in the service sector and 20.2% are employed in the trade sector and in hotels and restaurants. The findings also show that 55.2% of working women are employed by the service sector, followed by the agricultural sector where 27.5% percent of the female labor force work. The construction sector, which continues to be negatively affected since 2000, employed 10.9% of the labor force in 2008.

22. Carnegie Middle East Center

23. Palestinian Central Bureau of Statistics, Women and Men in Palestine, Issues and Statistics, 2010, Ramallah, Palestine

Findings also show that 24.4% of male workers are service workers and vendors at markets, compared to 10.1% among females. Moreover, 17.7% of male workers are technicians, assistants, and clerks, compared to 48.0% among females. The distribution of workers by sector shows an increase in the rates of employment by the public sector (24.7% in 2008 compared to 23.3% in 2007). In the Gaza Strip, the increase in public sector employment was 46.8% in 2008 compared to 39.1% in 2007. However, the West Bank witnessed a slight drop in public sector employment from 17.0% to 16.8%. The rate of employment by the private sector dropped from 67.3% in 2007 to 63.8% in 2008. In the Gaza Strip employment in the private sector dropped from 60.9% percent in 2007 to 53.2% in 2008. In the West Bank, the same sector registered a drop in employment from 69.9% in 2007 to 67.5 % in 2008. Males' participation⁽²⁴⁾ in the labor force dropped from 67.7% in 2007 to 66.8% in 2008. Females' participation in the labor force also dropped from 15.7% in 2007 to 15.2% in 2008. Findings of the study reveal a 26.0% unemployment rate in 2008 for the Palestinian Territories, 26.5% among males and 23.8% among females. The highest unemployment rate is that registered for those aged 15-24 years at 40.2%, 38.8% among males and 47.3% among females. Despite the high unemployment rates, the gender gap in unemployment dropped in the second quarter of 2010 to 2.6% compared to 12.9% in 2001, which may be attributable to the political and security situations of the Occupied Palestinian Territories.

2.1.4 . Lebanon

The UNDP Human Development Report of 2009⁽²⁵⁾ ranks Lebanon 83 out of 182, and the same report ranks Lebanon in 2011 71 out of 187 countries, with a human development index of 0.739. Lebanon is among the countries that enjoy high rates of development. The data of the human development report changes when adjusted for the "inequality" variable and hence the adjusted value becomes 0.570 with a difference of 22.8, which implies a downgrading for Lebanon by 9 ranks in the overall ranking. The same report also shows low rates in human development indices for health⁽²⁶⁾, knowledge, appropriate living standards, and women's capacity building. Poverty indicators, according to the report, are lacking in Lebanon⁽²⁷⁾.

Economist Kamal Hamdan says that Lebanon's high ranking in the Human Development Report is because the report relies on pre- 2011 statistics, especially the median growth rates of 8 to 9% in the period 2007 and 2010. The Human Development Report of 2010 excludes Lebanon due to lack of statistics. The report also lacks the multi-dimensional poverty indicator, again because of lack of relevant data in Lebanon. Marginalized groups and the huge differences in wealth and income distributions were also not addressed in the report because of non-availability of data. Instead, the report resorts to calculating average rates and reaches surprising outcomes. Consequently, Lebanon was categorized as a high per-capita income country following a comparison to per capita shares in GDPs at the regional level, where Lebanon per-capita share of the GDP, according to the report, was 13,000 U.S.\$ compared to a global average of 10,000 U.S.\$. Placing Lebanon among the countries that achieve a high human development index implies that it is comparable to Tunisia, Libya, Oman, Kuwait, and Saudi Arabia in the general index. Bahrain, Qatar, and the United Arab Emirates occupy highly advanced ranks while Djibouti, Sudan, and Yemen lag behind at very low rankings.

The human development index of Lebanon in 2011 was 0.739. However, the Gender-related Development Index (GDI) and Gender Empowerment Measure (GEM) for Lebanon reflect low levels of achievements since women's participation in politics, government, and management of

24. Palestinian Central Bureau of Statistics, Palestinian Labor Force Survey, Annual Report, 2008, Ramallah, Palestine

25. Towards a Citizen's State, Lebanon National Human Development Report 2008-2009.UNDP

26. The rank of Lebanon with respect to the health component shows a contradiction between health cost per individual, which is among the highest in the world, and life expectancy at birth. Lebanon occupies rank 14 among Arab counties in life expectancy at birth with 72.6 years, coming after the West Bank, Oman, and Syria. Qatar occupies the top of the rank, and Somalia occupies the bottom of the rank with 51 years for life expectancy at birth.

27. The United Nations estimates that the poverty rate in Lebanon is 10 percent (people whose daily wage is less than \$2). The poor people in Lebanon live in the outskirts of Beirut and other cities. The most impoverished, who total one quarter of the population, live in rural areas.

economic resources is very limited⁽²⁸⁾. Once the value is adjusted in accordance with the inequality of income distribution, the indicator drops to 0.570 which is equivalent to a loss of 8.22%.

2.2. Gender equality and women's empowerment

Most governments in the region acknowledge the urgent need to deal with the prevailing gender inequality and the situation of women's rights in accordance with international conventions and principles since women are active participants in human development. The major developments in trends with impact on equality between men and women and on women's empowerment are in line with the international context. Most Arab countries adhere to international rules and frameworks; this will be explained further in a special section allocated for this purpose in this report. The forward momentum was confirmed in 2009 through the Beijing +15 reports on related regions (Economic and Social Commission for Western Asia (ESCWA) and the UN Economic Commission for Africa (UNECA)), the celebrations of the anniversary of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) (CEDAW+30), in addition to the ongoing monitoring of human development and the Millennium Development Goals (MDGs) at the national and regional levels. For a long time now women have been working on positioning themselves as equal partners in development. Nevertheless, they still face a number of considerable obstacles, such as the limitations imposed on them because of social and cultural norms, which have so far prevented their full participation in driving change. Moreover, limited economic resources and a lack of strategic planning constitute further challenges to achieving full participation of women. Regional and national political interests have distanced women from public life and directed their capacities towards traditional roles of women.

Women's active participation in the many revolutions did not improve their status, but has rather put them under additional threat. In Tunisia, where the Arab Spring began, hopes for positive change towards a more democratic and just society were born, a society where dignity and human rights are enjoyed by all, including the young women and men. The new era that has reached a number of countries in the region, such as Egypt, Libya, Yemen, Syria, Iraq, Algeria, Morocco, Jordan, Palestine, and Lebanon, does not necessarily promise a positive change for the situation of women, or an increased level of women's economic and political empowerment.

2.3. Problematic and assumptions of women's economic empowerment

2.3.1 . Problematic of women's economic empowerment

Paragraph 51 of the Beijing Declaration and Platform for Action states that "Women's poverty is directly related to the absence of economic opportunities and autonomy, lack of access to economic resources, including credit, land ownership and inheritance, lack of access to education and support services and their minimal participation in the decision-making process. Poverty can also force women into situations in which they are vulnerable to sexual exploitation." Progress and measurable achievements⁽²⁹⁾ made so far in changing the situation of women in Arab countries, also in terms of their human rights, cannot be denied. However, the progress needs to be seen within the relative context, and hence it remains below ambitions. In any case, the following can be confirmed:

- The legal, political, social, and economic situations of women in the Arab region remain poor. The Arab region occupies the lowest ranks on a global scale with respect to the situation of women and equality between men and women.

28. The Gender-related Development Index (GDI) reflects discrepancies between men and women in the target groups. The Human Development Index for Lebanon pinpoints a number of improvement opportunities for equality between men and women. The Gender Empowerment Measure (GEM) emphasizes the opportunities available to women compared to women's capacities.

29. CEDAW+30 and Beijing+15 reports

- The region is not expected to achieve the Millennium Development Goals by 2015, especially Goal 1 “end poverty and hunger” and Goal 3 “gender equality.”⁽³⁰⁾
- The framework is based on the following:
- Truth: Women in general, and the most marginalized women and rural women in particular, do not benefit from any appropriate policies – if these exist – nor are these policies assigned with sufficient budgets. Women do not have access to services such as health, education, social insurance, freedom of movement, justice, etc. In short, women do not enjoy human or legal rights.
- Cause: Gender based empowerment of women is absent throughout women’s lives. Further, there are issues related to governance that aggravate this situation:
 - Lack of appropriate policies and adequate budgets, if any, to achieve empowerment objectives.
 - Lack of enforcement of laws/ legislations and rules and regulations whether domestic or in the form of international obligations.
 - Weak institutional mechanisms as a result of highly centralized forms of administration, decision making, planning, budgeting, implementation, and monitoring and evaluation, in addition to limited jurisdictions and resources.
 - Complete absence of accountability.

2.3.2 . Desk review assumptions based on women’s situation

In response to the problematic outlined above, required action is not limited to reviewing relevant laws, policies, strategies, and programs and/or procedures, or to summarizing their contents and objectives, but rather should effectively respond to existing needs using an evidence based approach:

- A gender-based labor distribution cannot be looked at solely from the perspective of role distribution between men and women in society and in its institutions (household, educational system and schools, workplace, media agencies, national mechanisms, credit institutions, governmental and non-governmental organizations, etc.), but rather needs to take into account the deeply rooted sex and gender based discrimination, and the low values that are assigned to all that is designated feminine.
- Gender affects the development of any woman’s internal (self-perception) and personal resources since it imposes, from early childhood on, a set of predefined and expected behaviors on women such as shyness, modesty, obedience, sacrifice, patience, etc. Hence, these acquired personal behaviours that shape a woman’s personality also are based on the expectations that society holds toward women, and in turn this impacts their capacity to claim their rights to resources, and to defend their interests in a wider context. As a result, women’s access to and involvement in economic activities becomes limited, affecting obtainment of credit, and participation in organizations and institutions, such as trade unions, chambers of commerce, etc.
- The gender structure of a society is based on discrimination between men and women, and it is institutionalized in administration and practices. Formulation and implementation of policies, legislations, and other mechanisms is done in this spirit that is defined by the prevailing societal gender structure. This limits women’s access to resources such as jobs, ownership, finance, education, health, information, decision-making, free time, etc. It also limits women’s access to services including schools, hospitals, courts of justice, administrative services, local and national civil services, freedom of movement, employment, loans, etc. Consequently, women’s capacities and empowerment in public life are limited and the gaps between men and women are widening.

30. MDG1 and MDG3.

The following, seemingly simple questions, require complex answers:

- What can be done in a scenario where on the one side legislations and laws are based on the principles of gender equality and clearly prohibit gender based discrimination, yet on the other side gender based discrimination is institutionalized through laws and practices in public life? What can be done to change this situation which clearly affects negatively the process of women achieving their human rights, and limits them in their private and public lives, depriving them of opportunities, including economic opportunities?
- How can women's rights and gender equality be mainstreamed within the economic system, and how can this be translated into reality in countries where the overall context, from a holistic point of view, negatively affects the lives of women, curtails their rights, and deprives them of their opportunities for economic empowerment?

2.4 . Reference and analytical framework for the review of legislation related to the economic empowerment of women

2.4.1. Gender as a concept

Gender is related to how we think, feel, and believe in what we can or cannot do based on concepts of masculinity and femininity as defined by society. The "societal structuring of gender" does not mean that men and women are the same. It means that the roles defined and imposed by society on men and women, regardless of their capacities as human beings, limit their opportunities and their very existence. Gender is a specific cultural structure; it reflects economic and social situations and opportunities that are available to men for being men, and to women for being women, in a specific social situation and at a specific point in time. The gender based distribution of employment in the absence of simple formulas for sharing responsibilities, in addition to undermining women and their status in society, will prevent the disappearance of discrepancies between men and women (gender difference), and it will consequently define the distribution of resources and authorities.

2.4.2. Gender as an analytical framework and tool

All countries make clear reference to the principle of equality, and other related principles, in their constitutions and legislations. Some countries have adopted policies which do enhance women's access to political, social, and economic opportunities. Many achievements have been made in empowering women and in improving the situation of women in their private and public lives. However, challenges still remain, most importantly those related to improving women's access and control of resources through mechanisms that are based on principles of equality, including those related to access to education, access to information, and access to economic and financial resources.

The countries of the Middle East and North Africa have made many efforts to implement policies and programs that focus on good governance, gender integration, improving social security systems, decentralization, and establishing partnerships with civil society and the private sector. These efforts come as an acknowledgement of the practical and strategic needs of women. Many initiatives have been put forward to meet women's needs and increase the level of empowerment of women.

In spite of the assertion of women's rights in legislation and laws, traditional practices and opinions still hinder the empowerment of women, and discrimination remains a reality. Traditional practices and norms include polygamy, obedience to the husband, prohibiting women to make decisions for themselves or their children, arbitrary family laws that contradict international laws such as the minimum age for marriage age, legal and Shari'a rights of inheritance. These social, cultural, and legal practices prevent women from achieving their rights within the private and public spheres.

While legislations affirm the right of women to ownership of private property, there are legal, social, and cultural obstacles that prevent women from practicing this right. For instance, women could be pressured by male relatives to relinquish the properties they inherit in order to safeguard the wealth of their families. This can be explained through social structures of gender and the distribution of roles and authorities by society. According to tradition, the wealth of a family must be kept in the hands of its male members. Local cultures perceive that females are born to enrich families through their reproductive functions⁽³¹⁾; this is tantamount to defining their economic role on the basis of this function⁽³²⁾.

Equality means equal distribution of roles and tasks between men and women; it also means equal distribution of development gains, equality in living one's human rights, and equality in the value that is assigned to men and women alike. Gender based discrimination is directly legitimized through legislations and laws, and through policies, program, and practices. This desk study will define the areas of discrimination that are being justified based on the societal structure of gender, including employment and the distribution of resources. It highlights the subsequent impact on women's empowerment in general, and their economic empowerment in particular, making special reference to the impact on marginalized women, such as women living in rural areas.

For the purpose of this desk study, the definition of economic empowerment of women shall be the one adopted by the key partners of the Regional Economic Empowerment of Women Project: "The ability of women to access and take control of resources and to take informed decisions and choices to advance changes at the personal, household, societal, and national levels."

3. Methodology and tools

The development of a reference document and criteria for the desk review served as guiding tools throughout the process. Based on the reference document and the criteria it contains project partners were able to reach consensus on the methodology to be followed, as well as on objectives, expected outcomes, a work plan for the different phases of the study, and research and analysis tools. These research and analysis tools were enhanced and refined by the teams of experts who were selected to conduct the study in each of the partner countries.

3.1. Objectives and expected outcomes

3.1.1. Overall objective

Within the framework of the project's planned activities, and in line with the study's methodology, the teams of experts in the four countries, in coordination with and under the supervision of the regional advisor, conducted rapid participatory assessments with all key stakeholders, including women. As a result, the following was identified for the desk review as an overall objective:

- To analyze legislative contexts, national legislations, and international obligations, national policies and strategies, financial and institutional procedures, and existing mechanisms that currently affect the economic empowerment of women in Jordan, Lebanon, Palestine, and Tunisia. The analysis will serve the purpose of identifying entry points for interventions that support those dynamics through which the capacity building of political and civil society actors takes place, and in turn supports the future strengthening of economic empowerment of women.

31. "Al-tifla amarit dar aljiran" is a proverb that means a female child is meant to marry the neighbor's son –when she grows up – and fills the neighbor's house with her children.

32. Families prefer not to invest in girls

3.1.2. Expected outcomes

- The guiding principles that were previously described serve to highlight those types of information which are of critical importance and of strategic value for achieving the expected outcome of the process. The process is to result in the following:
- To outline and analyze the present situation (report and summary in two languages);
- To map all stakeholders and institutions involved at the national, regional, and international levels;
- To convene national meetings so as to endorse the study's findings, and to reach agreement on national priorities and strategic interventions;
- To convene a regional meeting so as to endorse the findings of each of the four country studies and to agree on priorities and strategic interventions at the regional level; the latter will be used as guiding elements for the development of campaigns that are planned for last year of this project.

3.2. Scope of work and guiding principles

3.2.1. Research framework

Interventions implemented in the region are not based on gender and governance analyses of social and economic policies, programs, legislations, and institutional mechanisms, and hence disregard the impact governance systems have on the achievement of women's rights and on empowering women to access and control resources.

It is therefore necessary to explore new ways through which opportunities for the economic empowerment of women are increased, and which would at the same time contribute to poverty reduction among women. Combined, greater opportunities for the economic empowerment of women and a reduction of the level of women living in poverty will positively contribute to overall poverty reduction. The desk review and evaluation, and all analysis related to this process, must include a sound diagnosis of the current situation, and should result in the following: a careful selection of the priority areas that should be addressed from among all identified multi-level causes and their impact on the economic empowerment of women; and should also deliver an initial outline of priority interventions in line with the previously identified priority areas, including recommendations for amendments and reforms that could be realized through enhanced political dialogue and evidence based advocacy.

3.2.2. Guiding principles

Based on the analysis and on the elements of the study as described above, and taking into consideration relevant present data and information, the desk review covers all key areas. The findings of the desk review will be verified in consultation with the main partners and the Regional Office in Amman. The verification process will be conducted by the national researchers in coordination with the regional advisor. Final discussion and verification of findings for key areas will also take place during the national and regional review meetings which will be held in the last stage of the project for the purpose of adopting findings and defining national and regional priorities, in with the presence of all partners and stakeholders.

Key elements of the desk review process are:

- Conduct analyses of legislative frameworks, as well as the institutional, organizational, and financial policies, programs, and mechanisms in each of the countries under study. In addition, conduct an assessment of opportunities, strengths and weaknesses for strengthening women's rights and achieving gender equality based on a comprehensive approach that is grounded in a broad understanding and vision of the concept of women's economic empowerment.

- Preparation of information⁽³³⁾ on legislations and laws with reference to international obligations, policies, strategies, and mechanisms related to strengthening the economic role of women, and securing their human rights. This information will be used as a baseline to measure against future progress.
- Based on a participatory approach, identify key issues, select priority areas to be addressed, and recommend strategic interventions for implementation within the remaining time frame of the project (2012 – 2014) and beyond.

The final report will further include:

- A mapping of stakeholders in general (government institutions, civil society organizations, private sector, chambers of commerce, cooperatives, financial institutions, etc.), in addition to a mapping of main media outlets, international donors operating in the countries covered by the study, and interested activists and researchers from among the general public. The mapping of all above mentioned stakeholders will be as detailed and accurate as possible.
- The mapping of stakeholders will help in defining potential partners to build alliances and networks, and will also help in defining relevant authority institutions that are specifically relevant to support political dialogue and which would support advocacy for change.
- The following guiding principles are thought to serve the process of identifying critical and strategic information that can inform the selection of priorities, and that provides a better understanding of opportunities and challenges, strengths and weaknesses:
- A gender sensitive analysis is the basis for identifying gender gaps and differences between men and women in terms of their respective opportunities, challenges and restrictions in accessing and assuming control of resources⁽³⁴⁾.
- Assess and analyze the institutional and financial legislations, policies, and mechanisms, including law enforcement and accountability mechanisms. The analysis will also look into the so called positive institutional arrangements that are conducive to gender equality, such as exemption from night shifts, modalities for part-time employment, tax exemptions, and social coverage through the husband, etc. The analysis will highlight those practices that are not gender sensitive, or that are counterproductive to achieving gender equality, and which only reinforce prevailing gender concepts in the domain of employment (including the traditionally assigned roles of women in the household and the impact on free time).
- In contrast to the analysis of the formal sector, the analysis will also focus on women who are self-employed, specifically in the informal sector. This expanded analysis will complete the picture of challenges and opportunities in the process of achieving women's economic empowerment. Again, the analysis of the informal sector will also be based on the overall concept of human rights, and economic rights specifically. The outputs of this phase can be summarized as follows:
 1. Situational and case (regional and country specific) analysis is completed: Desk review and rapid assessment of key stakeholders;
 2. Key mechanisms, economic interests and relevant institutions are mapped; and
 3. Key areas and priority interventions are identified.

33. Collection of data and analytical comparison

34. This tool includes different types of resources which will be identified more in-depth at a later stage and in coordination with national experts.

3.3. Scope of rapid participatory assessments

3.3.1. General objective

The desk review provides an analysis of national legislations, policies, and mechanisms that influence the economic empowerment of women. The findings of the desk review make it possible to identify essential elements that need to exist in an environment conducive to sustainable economic development and the economic empowerment of women in Jordan, Lebanon, Palestine and Tunisia. Hence, a detailed framework to conduct rapid participatory assessments was designed, in cooperation with the teams in the four countries, as an additional tool that supports the analysis and ensures practicability of recommendations. To achieve the overall objective, two targets groups need to be included (see the section on sampling below):

1. **Women:** assessment of women's knowledge and opinions regarding policies, laws, and mechanisms directed towards the economic empowerment of women, and assessment of women's perceptions or lived experiences as to the impact of policies and mechanisms on their lives (perceived benefits versus no benefits, positive versus negative impact).
2. **Stakeholders and partners:** Assessment of knowledge and opinions of stakeholders and partners with respect to the economic empowerment of women so as to get a better understanding of their interests and practices in this area of development.

3.3.2. Specific objectives

The specific objectives of the rapid participatory assessments are as follows:

1. To assess women's knowledge and perceptions concerning laws and legislations, policy formulation and implementation, and mechanisms with a real and/or potential impact on the economic empowerment of women.
2. To assess stakeholders' (duty bearers') knowledge of laws, legislations, policies, and mechanisms that directly, or indirectly, aim to empower women economically. The stakeholders include relevant non-government organizations in all countries covered in this study.
3. To assess the impact of the prevailing situations in each country from the general, political, economic, social, and cultural perspectives. This includes an assessment of the impact of political instability on women's lives and rights, and specifically on economic empowerment in Palestine, Tunisia, and some parts of Lebanon.
4. To assess the impact of main initiatives undertaken by governments to empower women economically, from the perspective of women and other stakeholders.
5. To define challenges and opportunities provided through existing legislations and policies, institutional mechanisms (governmental and non-governmental and international), and financial and budgetary allocations as perceived by women and stakeholders.
6. To identify priorities for reforms, and priority areas for policy formulation and amendments of laws so as to enhance the economic empowerment of women and to reduce the level of inequality between men and women.

3.3.3. Expected and achieved outcomes

The findings of the rapid participatory assessment, which supported the research and analysis, made possible a better understanding of the perceptions of both right claimers (women, youth, and men) and duty bearers (service providers, decision makers, program managers) regarding non-discrimination and equality, human rights, statutory legal rights, economic empowerment of women, women's access and control over resources, policies, laws, and mechanisms. The findings were also useful for identifying existing gaps in the areas under study. More importantly, the analysis provided a deeper understanding of perceptions held by women and other stakeholders, and the extent to which their perceptions and opinions deviate from gender and equality principles. Perceptions were further confirmed during the process of identifying priority areas for interventions.

3.3.4. Guide and technical research tools

3.3.4.1. Components of the rapid participatory assessment

It was proposed to use the specific objectives mentioned above to form the structure for the section on findings recommendations.⁽³⁵⁾ Hence, based on the approach defined by CAWTAR and following the suggestions of teams of experts, an assessment and analysis framework was developed to be used in designing the questionnaires for focus group work, and as a reference for structuring the analysis. The main components of the framework are:

1. Economic empowerment: Definition, concept, elements
2. Economic empowerment: Achievements, challenges, and opportunities
3. Forms of discrimination, equality, and women's rights
4. Access to and control of resources
5. Suggestions and recommendations

The integrated research guide was used for the focus groups and the face-to-face interviews to ensure a common understanding of concepts and a unified approach to getting answers. The guide was adapted, to the extent necessary, to each target group and prevailing country context.

3.3.5. Field research methods and the qualitative and quantitative characteristics of the sample

3.3.5.1 . Research methods

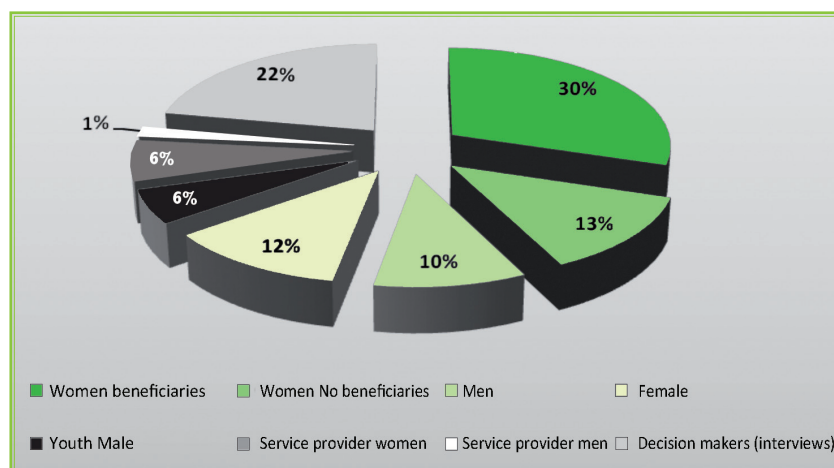
The methodology adopted for the implementation of rapid participatory assessments was based on two main activities:

- ▶ Field survey based on focus group discussions,
- ▶ Face-to-face interviews.

3.3.5.2. Field research and sample components

A total of 55 interviews, 25 focus group discussions, involving 195 participants, were conducted. The composition of the participants by category is summarized in the chart below:

Sample Components



35. See annex 1: The general framework for focus groups discussions and in-depth interviews in Palestine, Jordan, Lebanon, and Tunisia.

▶ **Group 1: Focus Groups**

Participants in the focus group discussions can be summarized as follows:

- Women of different walks in life living different circumstances (businesswomen, owners of small businesses, women working in small income projects, employed or unemployed)
- Women who did, or did not benefit from programs, policies, and mechanisms (loans, cooperatives, training, etc.)
- Urban and rural women
- To remain true to the principles of a gender sensitive approach, two groups were formed: the first was constituted of young men and women; the second group was young men only.

The selection of participants was based on a number of variables: age, social status, profession, geographic region, socio-economic level, education, and the types of services provided to women. The discussion groups were divided according to five categories: 1) women who benefit from economic empowerment programs (vocational training, or loans, etc.), 2) women who do not benefit from economic empowerment programs, 3) service providers (excluding Tunisia and Jordan), 4) youth aged 18 to 25 (including those benefiting from vocational training programs), and 5) men.

▶ **Group 2: Face-to-face interviews**

The questionnaire used for the face-to-face interviews was mainly designed to fit stakeholders from the public and private sectors and from civil society organizations (those who work in the area of economic empowerment or human rights). A list of local stakeholders was identified by each team (see Annex 2: Lists received for the purpose of unifying tools).

A total of 55 face-to-face interviews were conducted⁽³⁶⁾. The national reports on the findings of the rapid participatory assessments include details of the characteristics of the interviewed samples. The following contains examples of sectors included in the interviews:

- **Ministries:** Ministry of Social Affairs in Jordan and Lebanon; Ministry of Labor and Ministry of Agriculture in Lebanon, Jordan, and Palestine; Ministry of Planning and International Cooperation in Jordan; Council for Development and Construction in Lebanon; and Ministry of Agriculture and Ministry of National Economy in Palestine.
- **Institutions in charge for economic empowerment of women** such as the Ministry of Women's Affairs in Palestine, the National Jordanian Committee for Women's Affairs, and the National Commission for Women's Affairs in Lebanon. As well as the following agencies in Tunisia: Ministry of Women, Household, Childhood, and Senior Citizens' Affairs, Center for Research, Studies, Documentation, and Media Concerning Women, Ministry of Employment and Vocational Training, Ministry of Agriculture and Environment, and other agencies in Tunisian districts.
- **A number of institutions involved with economic empowerment of women** including the chamber of commerce, Central Statistics Department in Lebanon, Development and Employment Fund in Jordan, National Commission for Women's Employment and Alimony Fund in Palestine, and the Tunisian Agency for Vocational Training.
- **A number of non-governmental organizations** including Makhzoumi Group in Lebanon, the Palestinian Businesswomen's Association (Asala), the Palestinian General Federation of Trade Unions, Union of Cooperative Societies for Saving and Lending, Women's Center for Legal Aid and Counseling, the Queen Zein Al Sharaf Institute for Development, the Jordanian Women's Union, Households Development Charitable Society, Agriculture Lending Fund, Jordan Micro Credit Company, Self – Development Support Society, the Agency for Employment and Self-Employment in Tunisia, and the Tunisian Union for Social Solidarity.

36. 10 Interviews were conducted in each country with relevant focal person at the public and the non-government sectors.

3.3.5.3. Process and Conditions of the Rapid Participatory Assessment

▶ Challenges in Conducting Field Work

In addition to the time restrictions faced in conducting the rapid participatory assessments, the desk review, and the achievement of expected outcomes, we realized that ambitions and efforts were greater than initially anticipated. The researchers faced major challenges in each of the countries under study, including:

- The long and complicated administrative procedures of the institutions mandated with economic empowerment, and other institutions. The average time for receiving a response to our requests to conduct interviews was 3 weeks. In some cases no response was received at all despite several attempts to communicate with those in charge.
- The administrative procedures at ministries and government institutions had a negative impact on the focus group discussions, mainly because the administrative procedures imposed men to be interviewed who were not concerned in their daily work with the women who benefit from economic empowerment programs. Instead, the interviews had to be done with male officials who did not fit the initial selection criteria of participants.

The challenges listed above had a negative impact on the timely conduction of interviews, and hence also on regional coordination.

▶ Supporting Factors

- Team spirit prevailed, and coordination for preparing tools and organizing work processes was good.
- The researchers were prepared despite the challenges they faced in the field.
- Continuous efforts and dedication on part of the four partner organizations in facilitating the process.
- Continuous cooperation of CAWTAR which also ensured the research teams were in possession with relevant documents. In addition CAWTER took charge of correspondence with relevant institutions.
- The coordination and advisory meeting held in Amman proved very useful especially in terms of producing a work plan, enhancing fieldwork tools, and developing a timetable. The meeting also provided a valuable opportunity for the researchers to meet.

▶ Outcomes and expected Use

The regional report is not limited to the outcomes of the desk review of legislations, policies, and mechanisms that affect women's economic rights. Rapid participatory assessment supported the desk review and provided a valuable entry point to reach a better understanding of women's and other stakeholder's knowledge and perceptions with regards to policies, laws, and mechanisms that affect the economic empowerment of women. In the same manner, the rapid participatory assessments also delivered a more comprehensive picture of opinions and perceptions held by a broader group of stakeholders, such as policy-makers, legislators, and those in charge of programs concerned with the economic empowerment of women, especially with regard to extent of impact of policies and programs on the lives of women.

The teams in the four countries applied a unified approach in the implementation of rapid participatory assessments. However, and so as to account for the different country contexts, the team of researchers were given certain flexibilities to adapt the approach to their specific settings. This was especially true for Tunisia and Palestine. Tunisia is living a period of democratic transition, and hence the research team adapted the approach to fit the post-revolution context. The same applies to Palestine which is under occupation, and so the research team had to deal with the restrictions imposed by such occupation.

In any case, we sought – despite the difference in the implementation of the approach – to identify the common points of the four reports and to describe the perspectives in a way that takes into consideration the unique circumstances of each of the four countries. The findings will be presented by topic in the sections below.

**National Legislations, Policies, and Mechanisms of Impact on
Women's Economic Empowerment In the Arab Region**

Case study in

Jordan, Lebanon, Palestine, and Tunisia

Part One:

**General Context of Women's
Rights and Gender Equality**

Part One: General Context of Women's Rights and Gender Equality

I. General legal framework and implementation mechanisms for the protection of human rights

1. Gender, women's rights, and development gains

To get an understanding of the general context of women's rights in a country, one needs to take a look at the legal framework. The legal framework with all its components, such as a country's constitution, determines the extent to which women enjoy legal protection. In addition, policies, programs, and country strategies also determine opportunities for in the empowerment of women towards achieving gender equality. The theoretic frameworks find their implementation in national mechanisms through national institutions. A key aspect is also the accession of countries to international conventions and covenants, especially those related to human rights in general and women's' rights in particular, and by which countries commit to international standards. As a matter of principle, any intervention with a serious claim to achieve development objectives and to ensure human rights needs to be based on accurate quantitative data that adequately inform of existing gaps in a specific development area. Here, the relevant gap for consideration would be the gender equality gap, which is partially the result of discriminatory practices and violations. The gaps that surface in development, regardless of their type or area, when noticed and measured can inform on those groups within society who do not enjoy their human rights. Inequality between men and women is a fact that cannot be ignored or denied. However, inequality may take on different forms and can be observed in various expressions throughout the different stages of life of members of a society. Inequality also differs in scope and in intensity in one and the same country, across countries, and even within the same group of one society. Inequality is a worldwide phenomenon. The suffering resulting from inequality varies according to country, class, social status, and legal frameworks.

1.1. Some regional indicators and trends

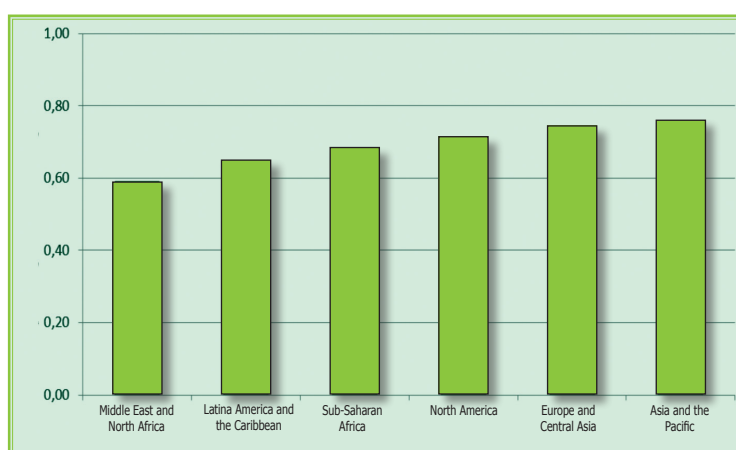
1.1.1. Gender indicators: gaps and achievements

Within the framework of their international obligations, the countries of the Middle East and North Africa have committed themselves to addressing a variety of issues including the status of women, gender, human rights, aligning statutory laws with international principles, gender-based violence in time of peace as well as in times of conflict and post-conflict, health and reproductive health, education, technology, employment, poverty reduction, economic security, women's participation in politics, and other aspects. Undoubtedly, progress has been achieved and many forms of discrimination and violence against women have been eliminated. Countries have acknowledged the vital importance of the Gender Equality & Equity and Empowerment of Women/ GEEEW⁽³⁷⁾. International organizations mandated with monitoring developments in this area, such as the Committee on the Elimination of Discrimination against Women, have considered the acknowledgement of countries of the GEEEW an important step towards reducing gender-based inequalities and discrimination, and towards achieving higher levels of human rights. Moreover, the countries of the Middle East and North Africa agree on the need to mobilize more efforts to

37. Gender Equality & Equity and Empowerment of Women / GEEEW

eliminate gender-based and sex-based discrimination, especially as these phenomena continues to exist throughout the region in the private and public lives. Inequality based on gender in social, economic, and political rights, and in materialization of entitlements, is still widely spread in the region. The MENA region is placed at the bottom ranks in international classifications that are based on the measurement of inequality between men and women:

Regional Performance, Global Gender Gap Index 2011⁽³⁸⁾



The Global Gender Gap Report, 2011⁽³⁹⁾ – a report published annually by the World Economic Forum since 2006 – shows that the MENA region has a gap of inequality between men and women of 59 percent, which places the entire region at the bottom of the list when compared to the other five main regions covered in the report. The region is also placed at the bottom of the ranking of sub indicators that measure economic participation, opportunities, and political empowerment.

As for educational attainment⁽⁴⁰⁾, the region occupies the fifth place, just before Sub-Saharan Africa. In terms of health and survival, the MENA region occupies the fourth place before Sub-Saharan Africa, Asia and the Pacific.

The highest ranking economies in the region have invested many resources in raising the levels of women's education. Among those economies are to be named Qatar, Kuwait, the United Arab Emirates, and the Kingdom of Saudi Arabia. Other economies of the region such as Tunisia, Algeria, Lebanon, and Jordan follow. The rates of women enrolled in tertiary education in these countries are higher than the tertiary enrollment rates for men. However, these countries have achieved only different degrees of success with respect to effectively integrating women into the economy, and are therefore gaining only sub-optimal benefits from the investment made on women's educational attainment.

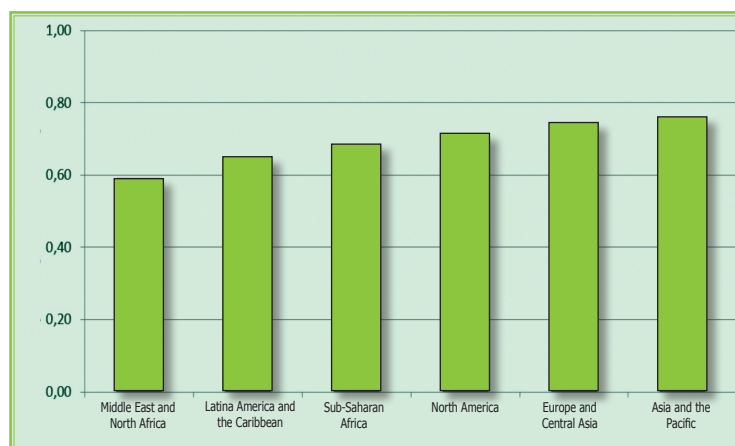
In 2010, the United Arab Emirates occupied the top of the list of Arab countries (rank 103) in its performance with respect to educational attainment and health and survival, followed by Kuwait (105), Tunisia (108), and Bahrain (110).

38. Source: Global Gender Gap Index 2011

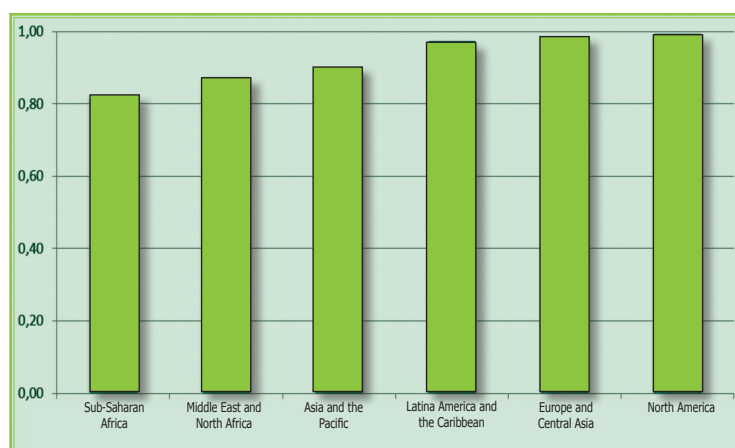
39. The Global Gender Gap Report, 2011, World Economic Forum

40. Ibid

Regional Performance, sub-Indicator⁽⁴¹⁾ "Educational Attainment"



Regional Performance, sub-Indicator⁽⁴²⁾ "Education and Survival"



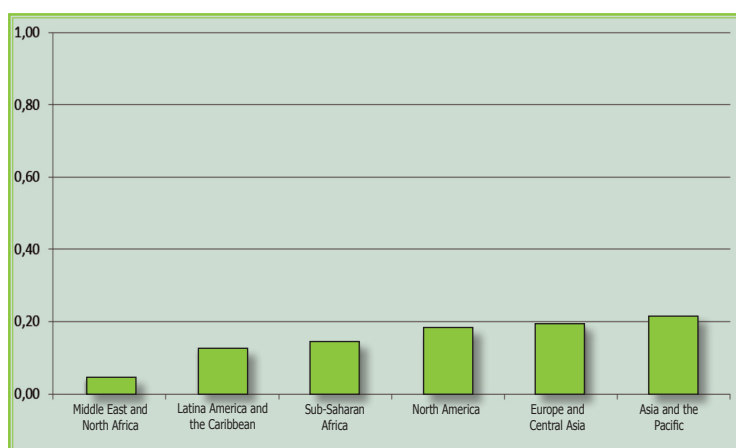
Kuwait was placed second at the regional level (second among 9 countries of the region, out of 135 countries worldwide) with the gap and indicator of literacy between men and women being equal. In contrast, Tunisia was downgraded one rank in the global classification of 2011. Because of lack of data on political empowerment, there is a repetition of last year's data. The other variables in performance are monitored.

Jordan was upgraded by three ranks mainly because it had increased the women's quota in the Lower House of Parliament from 6 to 11 percent. However, the main strength of Jordan is in education where the female enrollment rates in primary, secondary, and tertiary education are higher than the enrollment rates of males.

41. Source : Global Gender Gap Index 2011

42. Ibid

Regional Performance, sub-Indicator⁽⁴³⁾ "Political Empowerment"



Despite overall compliance with provisions for women quota during the Tunisian Constituent Assembly elections in October 2011, most lists were headed by men. Consequently, only 58 women were elected as members of parliament out of the 217 available seats (or 26.73% of seats in the Assembly). Most of the elected women members of parliament are from Ennahda Movement, which registered broad success in many constituencies.

In the Egyptian parliamentary elections in November 2011, women won 10 seats in the People's Assembly of Egypt (out of 498 seats (or 1.97 percent of the seats)).

In the 2011 Moroccan parliamentary elections, the country elected 395 members for the Lower House of Parliament, including 305 from party lists representing different constituencies and the additional 90 seats were elected from a national list. To ensure women's status, the political parties agreed to reserve 60 seats for women candidates of the national list. The rest of the seats are reserved for candidates less than 40 years of age. As a result, the 2011 Moroccan parliamentary elections saw 67 women out of 395 candidates securing parliamentary seats. In other words, women won approximately 16.45% of the seats, which is a very small percentage to represent half the Moroccan population. The figure looks even smaller when one realizes that only 7 out of the 67 candidates were elected from regional/local lists, which confirms uncontested male candidate domination.

Bahrain's ranking in the list has not changed despite the small achievements in performance, which is also the case for other countries that achieve faster progress. Bahrain is followed by Qatar (111), Mauritania (114), Jordan (117), and Lebanon (118). Qatar's strength lies in its educational system, especially secondary and tertiary education. Qatar's reduction in the salary gaps between men and women over the past year moved it six places ahead in the list. Lebanon, on the other hand dropped by two places compared to last year though it was the only country in the region to achieve equilibrium in the health and survival sub indicator.

Algeria, Egypt, and Syria occupy the 121st, 123rd, and 124th places in the list, respectively. Algeria dropped by two places due to its performance last year. These countries have been assigned lower rankings due to a misunderstanding of the concept of equal pay for equal work for men and women. Egypt jumped up by two places in the list due to improved rates of primary education enrollment. Egypt also occupies the first place in equal pay for equal work in the region.

43. Source: Global Gender Gap Index 2011

However, new political data about Egypt are not available; therefore, the political empowerment data of last year are repeated to monitor further changes in performance. Syria still occupies the same place in the list. Nevertheless, there is a tiny drop in its performance compared to last year. Oman, Morocco, Kingdom of Saudi Arabia, and Yemen are at the bottom of the index of the Middle East and North Africa countries since they occupy the 127th, 129th, 131st, and 135th places, respectively.

The Sultanate of Oman dropped by five places partially due to a widened gap in the rates of tertiary education enrollment between men and women. Morocco and the Kingdom of Saudi Arabia dropped by two places, though the Kingdom of Saudi Arabia achieved the biggest hike on the list in the past six years among the 114 countries contained in the 2006 report. Yemen is still at the bottom of the list of the region, and at the bottom of the general list of 135 countries though it showed improved performance. Still, it remains the only country that has closed less than 50 percent of the gap between men and women.

In conclusion, the available data at the national and regional levels, though they lack accuracy, still provide strong evidence of the situation of women. The data reveals a fluctuating progress in the indicators of women's empowerment and equality between men and women. The most important findings concerning women's status in the Middle East and North Africa region can be summarized as follows:

- In reality, women's rights and economic, social, and political capacities are disempowered and not influential.
- Poverty deeply affects women and burdens them more than men with its impact on their education, health, and economic access and participation in the areas of decision making. This directly affects women's capacity to enjoy their entire human rights.
- Arab women's situation in each of the region's countries as well as their participation and lives are influenced directly or indirectly by the conflicts and wars, just like the rest of the women in the world.
- By the end of 2012 and start of 2011, the evident demand for democracy and the democratic transformation in many Middle East and North Africa countries were accompanied by political upheavals that influenced – and still affect – the economic growth, social stability, and human security of the region. These political upheavals also affected women's security at all stages of their lives. For instance, there were calls for female circumcision in Tunisia, inspecting girls' virginity in Egypt, and physical and verbal sexual abuse in Libya, Yemen, and Bahrain. Moreover, the start of 2012 did not unequivocally show that the situation will not deteriorate further since there were more evident indicators that showed threats to women's human rights and security in many countries in the region.

1.2. Indicators and trends at the country level

The following contains a number of indicators covering education and illiteracy, health and reproductive health, and women's participation in politics and decision making. It is worth highlighting the efforts to integrate the concepts and information. The study revealed gaps in data availability, integration, and updating in a number of countries in the region. Therefore, there are discrepancies between information from the four countries covered by the study.

1.2.1. Education and illiteracy

1.2.1.1. Jordan

Beijing+15 reports on related regions summarize the gross enrollment rate of students at different educational stages of school year 2006 – 2007 in the Hashemite Kingdom of Jordan as follows: 40.71percent males and 38.53percent females enroll in kindergartens, and 78.61percent males and 86.13 percent females enroll in secondary education. The percentage of people with tertiary

education is 38.2 percent with slight differences between males and females at 37.2 percent for males and 39.3 percent for females. According to the data of the Jordanian Ministry of Education, illiteracy among those aged 15 and above in mid-2010 was 6.8 percent at 3.7 percent for males and 10.1 percent for females.

According to the Education for All Global Monitoring Report of the United Nations Organization for Education, Science and Culture (UNESCO), Jordan occupied the first place among the Arab countries with respect to reducing illiteracy in 2005. Jordan is also expected to achieve a further reduction in its illiteracy rate to 5 percent in 2015. A number of initiatives have been approved to incorporate gender perspectives in the national education vision and support gender sensitive development programs. In an attempt to respond to the demands of the labor market and the changes in technology, arrangements were developed to support women's participation in vocational and technical education, building leadership skills, and developing women's technical capacities. In line with the initiatives, Jordan began developing and reviewing educational curricula, textbooks, and teachers' manuals through introducing analytical tools that are sensitive to gender and create a balanced prospect of men and women to combat the stereotyped images of girls and women. The employees of the Ministry of Education joined workshops on gender sensitive analysis and planning including design of brochures and booklets and instructions on gender strategies as indicated by the data provided by the Gender Unit of the Ministry of Education in Jordan.

1.2.1.2. Tunisia

The Annual Research on Population and Housing of 2011 shows that illiteracy among women is still high though it is lower than that of men. Between 1994 and 2011, the illiteracy rate among females dropped from 42.3 percent to 25.9 percent (a 39 percent drop) compared to a drop from 21.3 percent to 11.2 percent among males (a 47 percent drop). This development [in combating illiteracy] led to a drop in the gender gap from 21 percent to 14.7 percent. According to the aforementioned research, illiteracy rate among rural women is 22 percent higher than it is among urban women (including all age categories). These rates pinpoint the issue of equality with respect to education and continuation of education to a level that prevents a return to high illiteracy rates. Such prevention would include more opportunities to joining the labor market in accordance with its new standards.

According to statistical data, females constitute the majority of students at schools and institutes; their rates increase as they advance in education. The data also show that females are increasingly absent from educational topics, which the labor market is not in demand of. Moreover, females constitute 58 percent of secondary education students of which 34% are enrolled in literary streams compared to 19 percent for males. Approximately 60 percent of the students studying literature and economy are females compared to 38 percent males. Females constitute a minority in technical science and media studies since the majority of them do applicable science and literature. At tertiary education, 60 percent of the degrees obtained by females are in human, social, and economic sciences and similar topics despite the potential difficulties the holders of such degrees may face when joining the labor market.

According to data, females are mainly in non-technical and non-technological areas of specialty at the centers of the agency of Vocational Training and Employment in Tunisia, Ministry of Vocational Training and Employment, since there are only 364 females out of 9,213 trainees (or 4 percent) specialized in areas of mechanics and restructuring of metals; and there are 3,699 females out of 23,724 (or 15 percent) trainees specialized in electricity and electronics. The discrepancy between male and female trainees in vocational training continues to exist. According to the training centers of Vocational Training and Employment in Tunisia, females constituted 30 percent of the total

number of trainees registered in 2007, which reflects a drop compared to the rates of 2005 and 2006 which were 33 percent and 31.6 percent, respectively. The discrepancies between males and females may be explained by the rise in the dropout rates among males compared to females. However, the discrepancies may be blamed on the fact that vocational training is more male-oriented than female-oriented especially that the training centers are not available in all districts and do not have sufficient accommodations. Also, married women face difficulties if they wanted to train in specific areas due to their family responsibilities and lack of supporting social services.

1.2.1.3. Palestine

The relative increase in literacy rates among females was four times higher than the relative increase of the literacy rates among males between 2000 and 2009 in the age group of 15 years and above. Still, the rates of illiteracy among males remain higher than those for females. Females constituted 50 percent of the total number of school students in school year 2009-2010. The percentage of females enrolled in university education registered 57.2 percent compared to 40.1 percent for females enrolled in community colleges. The secondary school male and female students tend to enroll into scientific and human sciences more than other vocational areas. Females tend to enroll into human sciences more than males. The gap between males and females in tertiary education between 1995 and 2008 was reduced in favor of females since it registered in 2008 1.3 compared to 0.9 in 1997. There were positive trends during recent years with respect to reducing discrepancies between males and females in the Palestinian system of education, which is a key element in enhancing equality between men and women and in empowering women.

1.2.1.4. Lebanon

It was commonly believed that Lebanon provided educational opportunities to all of its citizens. However, the official figure of the Ministry of Education of approximately 95 percent enrollment in education negates the survey of the Pan-Arab Project for Family Health (PAPFAM) of 2004, which shows that 8.9 percent of the youth (10 and above) in Lebanon do not go to school. This worrying phenomenon affects females more than males where the dropout rate among females is 12.1 percent compared to 5.7 percent among males.

According to the statistical data on gender of the Educational Center for Research and Development, Lebanon, which reflect a clear and accurate picture of the females' opportunities in education, the rate of enrollment at Lebanese schools are high for males and females with a discrepancy in favor of females. The data show that the rate of school enrollment for males and females aged 5 to 9 is 99 percent, which drops to 95 percent for males and females aged 10 to 14. Since 14 years, Lebanon has registered higher rates of female's enrollment in schools compared to males; the same applies to tertiary education.

These data are important since they show that 1.2 percent of females above the age of 70 have university education compared to 23.2 percent for those in the age group of 25 to 39. The data also reflect the progress achieved by Lebanon during the past decades in expanding the access of women's enrollment into tertiary education. Education data also show that females' rates of tertiary education are higher than those of males since the rate of females of tertiary education with bachelor degree is 90 percent including 70 percent in science, 90 percent in economy, and 100 percent in human sciences. The average number of years spent in education in Lebanon is 7.9 years.

The index of inequality between men and women in Lebanon registered 0.440. Lebanon occupied the 76th place (out of 146 countries) in the 2011 index of inequality between men and women. The rate of females enrolled in secondary education is 32.4 percent compared to 33.3 percent for males. Rates of enrollment in education at later ages are 6 percent for males and 24 percent

for females. The gap between males and females in the age group of 10 to 29 ranges between 1 percent and 1.9 percent. There are also regional discrepancies between the center of the country and the rest of its regions. The gaps between males and females in scientific and literary streams also exist in Lebanon.

1.2.2. Health and reproductive health

1.2.2.1. Jordan

According to reports published by the Department of Statistics in Jordan, Jordan makes progress from one year to another. The progress is shown in a series of indicators such as the increase in life expectancy among males and females from 70.6 years and 72 years respectively in 2005 to 71.6 years and 74.4 years for males and females respectively in 2010. Infant mortality rates dropped to 23 per 1,000 in 2010 compared to 22 per 1,000 in 2002, and 37 per 1,000 in 1990. The number of maternal care and childcare centers increased to 385 in 2005 compared to 307 in 1996.

The data of the Department of Statistics in Jordan also show that the increase in the number of health establishments reduced the pressure on healthcare. For instance, the number of hospital beds per 100,000, population rose from 192 in 1950 to 970 in 2010. The rate of childbirth under medical supervision rose to 99 percent in 2010. There was also progress in maternal and child healthcare since the number of maternal and child healthcare centers increased to 385, and the number of centers of inclusive health services rose to 57 in 2005, compared to 307 maternal and child healthcare centers and 41 inclusive health services and 188 dental clinics in 1996. In 2002, the rate of childbirths at healthcare facilities registered 97 percent, and the rate of childbirths under medical supervision registered 99.5 percent.

1.2.2.2. Tunisia

Most reports on health and women agree that there are a number of gaps and weaknesses in this area. The main report on the third multi-purpose cluster survey of 2006 on monitoring the conditions of women and children shows that gaps vary in accordance with locality and education of women. For instance:

- There are discrepancies between regions with respect to women's access to a physician before childbirth. While the rate of women who paid at least four visits to clinics is 67.5 percent at the national level, the rate is lower for Kairouan Governorate at 45.5 percent, and 50.0 percent in Kasserine Governorate. The discrepancy is also obvious with 75.0 percent in urban areas, and only 54.7 percent in rural areas.
- There are also discrepancies with respect to clinics providing postnatal healthcare services. The rate of women who paid at least one visit to a physician after childbirth is 59.3 percent at the national level, but only 48.6 percent in rural areas compared to 66.9 percent in urban areas.
- Women's awareness of cervical cancer and breast cancer varies according to locality. Hence, the rate of women who are not aware of cervical cancer in rural areas is 31 percent compared to 15 percent in urban areas. Moreover, the rate of women who are not aware of breast cancer in rural areas is 68.2 percent compared to 31.8 percent in urban areas.

Statistics show that maternal mortality rates are high despite the progress in this area. The Millennium Development Goal of reducing maternal mortality rates by 2015 has become difficult to attain. The discrepancies are due to lack of specialized physicians at rural and distant areas, and lack of health services. The statistical system, however, is incapable of producing accurate and updated data on maternal mortality rates despite the existence of a national program to reduce maternal mortality rates and a national committee that monitors maternal mortality rates.

1.2.2.3. Palestine

The demographic and social indicators and economic relationships with neighboring countries show that the Palestinian people are undergoing demographic and epidemiological transitions. Other indicators that support this trend are the increase in fertility rates and population growth, the drop in the rates of the spread of the human immunodeficiency virus (HIV), and the high rates of vaccination in comparison with many neighboring countries. Life expectancy at birth in 2006 was 73.2 years for females and 71.7 for males. According to other sources, due to the improvement in the health indicators during the past decade, the life expectancy rates rose for males from 69 years to 70.2 in 2008. The life expectancy rate for females is unchanged at 73 years. Also, the number of males is higher than that of females. According to the same year's statistics, the average marriage age among females is 18 years. Estimates show that 10 to 25 percent of married Palestinian women at reproduction age use birth control methods. Fertility rates in Palestine dropped in 2006 after being constant between 1996 and 2006. However, fertility rates rose to 4.6 in 2007. While the rates of women who use birth control methods are 41.7 percent, infant mortality rates and the mortality rates of children under five years of age are higher among males compared to females. Nonetheless, mortality rates among newly born females are higher compared to males at 8.6 percent and 6.1 percent respectively.

The fertility rate dropped slightly in Palestine; however, it is still relatively high. The drop in fertility rates was from 6 in 1997 to 4.6 in 2007. The drop in fertility rates in the West Bank was from 5.6 to 4.2 compared to 6.9 to 5.4 in Gaza Strip. The children rate dropped from 45.1 percent to 41.3 percent. Meanwhile, the rate of the age group 15 to 64 increased from 46.9 percent to 49 percent in the Gaza Strip, and from 51.1 percent to 55.3 percent in the West Bank. If the population growth rate remains as it is, the number of youth in the age group of 14 to 25 will increase to 1.3 million or 80 percent, which will place public services like education, employment, health, and natural resources under great pressure.

The report of the Millennium Development Goals shows that 99.0 percent of childbirths in 2006 occurred under medical supervision. Also, 99.2 percent of pregnant women benefited from prenatal healthcare services. The rate of childbirths among teenagers in 2005 was 59.8 percent including 55.2 percent in the West Bank and 67.4 percent in the Gaza Strip. The United Nations Relief and Works Agency (UNRWA) report of 2007 shows that anemia among pregnant refugee women in the Gaza Strip was 35.6 percent. The rate rises to 45.7 percent among breastfeeding women who often visit the UNRWA clinics.

The data of the 2007 health survey show lack of awareness among women with respect to the importance of early diagnosis of breast cancer and cervical cancer. The rate of women who had cervical examination during the past three years was 20.4 percent in the West Bank and 27.1 percent in the Gaza Strip (the Palestinian Central Bureau of Statistics (PCBS), 2007). Also, according to PCBS, the drop in the rates of women who conduct self-examination to the breasts is due to lack of awareness of the risks of not conducting such examination since cancer, especially breast cancer, is the first cause of deaths among women in Palestine.

1.2.2.4. Lebanon

Since the end of the civil war Lebanon has made progress in the practical application of the right to health. Apparently, the country is concerned with improving population's health and combating discrepancies in access to health, which is evident in the drop of mortality rates among infants and improvement in people's health in general. Health indicators also show improvement in women's health. According to 2010 data, life expectancy at birth is 74.79 years including 73.28 for females

and 76.36 for males though women's biology should make females' life expectancy higher than that of males. The total rate of fertility is 1.78 children per female. In 96 percent of childbirths, women receive medical supervision. However, the rate of maternal postnatal healthcare dropped to 52 percent. The rate of infant mortality is 16.4 per 1,000 births including 16.52 per 1,000 births for males and 16.28 per 1,000 births for females. Among 100,000 live births, 26 mothers die of pregnancy complications. The fertility rate among teenage females is 16.2 per 1,000 live births. The rate of females' participation in the labor market is 22.3 percent compared to 71.5 percent for males.

1.2.3. Women's participation in politics and in decision making

1.2.3.1. Jordan

The Parliament of Jordan did not have any women representation between 1989 and 1997. However, in 2002 a national committee was formed upon royal directives to set up the "Jordan First" document, which takes into consideration empowering women in political participation and access to parliament through a provisional women's quota. Hence, the Jordanian government adopted a plan to form six committees, including the women's quota committee, the constitutional court committee, political parties committee, corruption and nepotism committee, professional trade unions committee, and the civil society organizations committee. Consequently, the Election Law of 2003 was enacted. It allocates six parliamentary seats for women ⁽⁴⁴⁾.

The number of women in the Jordanian Senate House totaled 7 out of 55 members in 2003 and 2007. The women's quota system enabled 6 women to win seats in the Parliament of Jordan in 2003 out of the total number of members of 110. The total number of women members of the Parliament of Jordan in 2007 was 7 including 6 in the quota system and one candidate who won most of the votes in the Wadi Theeban district. Women have also accessed municipal councils through elections in 1995. The continuous efforts of the national institutions and organizations have put 99 women in municipal and village councils⁽⁴⁵⁾. Women have even become mayors. Candidacy of women continued, and in 2003 five women won and 99 were appointed including one appointment for mayor, in addition to the appointment of 3 women in the Municipality of Greater Amman. The later amendment of the municipalities' law allowed allocation of 20 percent of seats for women thus securing representation of women in municipal councils at 20 percent at least. The voting age was also reduced to 18 years.

As for Jordanian women's participation in the executive authority, the first female minister was appointed in 1979 as minister of social development. In 1984, another female became the minister of information. Women's participation increased in the next years and women became ministers of line ministries such as the trade and economy, higher education, and planning and international cooperation. The number of women in senior positions rose between 2004 and 2009 to reach 14 in 2009 constituting 8 percent of the senior positions in the country. Other examples of senior positions occupied by women in Jordan include secretary general of the ministry of health and the ministry of irrigation; director general of the public institute for housing and urban development; director general of integrated procurement; secretary general of the following national councils: the national Jordanian committee for women's affairs, the national council for households' affairs, high council for housing, high council for handicapped people's affairs, the Jordanian nursing council, as well as director general of Jordan television, governor in the ministry of interior, advisor in the cabinet, the bureau of legislation and opinion, and director of the media and communication department at the Prime Minister's Office.

44. Al Hadath Newspaper, Year 7, 2007, The Jordanian Women's Quota, a new political experience to be continued with the next parliaments but on different bases.

45. Report titled "Jordanian women's participation in political life, analytical study of the performance of female parliament members in the 14th cycle" by the United Nations Development Fund for Women, National Press House, Amman, Jordan, 2007

1.2.3.2. Tunisia

Since the independence of Tunisia in 1956⁽⁴⁶⁾ and until 2010 women's participation in the three authorities saw a continuous increase as they occupied senior positions of ministerial offices, advisory and judicial commissions, and diplomatic positions. Women also enhanced their participation in the two houses⁽⁴⁷⁾ of Parliament of Tunisia where women's participation increased from 4.3 percent in 1989 to 11.5 percent in 1999 and to 22.7 in 2004 and to 27.51 in 2009. Moreover, 51 women were appointed as members of the chamber of deputies (15.2 percent of the chamber of deputies). The ministry of interior and the ministry of women's affairs, household, childhood, and senior citizens⁽⁴⁸⁾ issued a joint circulation that encouraged governors to regularly appoint at least two women as members of regional councils. The percentage of women members in municipalities expanded to a minimum of 25 percent of municipal councils and 23 percent of regional councils of governorates. The percentage of female advisors in municipal councils rose from 13.3 percent in 1990 to 16.6 percent in 1995 and rose again to 26 percent in 2005. In fact, women's presence in municipal councils was the result of a decision by the Tunisian president. The decision stipulated that women's participation in municipal councils must not be less than 25 percent of the seats. However, women in municipal councils do not occupy decision making positions, and five women were elected as mayors.

It was noticed that women make more important progress when the achievements they make are based on merit, as is the case with courts. The representation of women at this level is an important reflection of the development of their situation. For instance, women in 2007 constituted 29 percent of the judges and 31 percent of the lawyers. Women also represent one third of the 9,000 societies of different areas. Women also occupy 21 percent of leading positions of important national organizations and societies.

Despite the achievements, the Tunisian women do not have sufficient voting rights and their election is a challenge. The presence of women in the legislative and executive authorities is in line with their low political commitment and limited participation in the leadership of political parties where their presence is marginal in most cases. The 30 percent women quota has not been completely realized in the decision making positions the previous president targeted between 2004 and 2009. However, it has helped reduce the discrepancies of women's participation in decision making. Among the key reasons for not realizing the 30 percent women quota in political positions is not translating the system for allocations of shares into legal framework. Hence, the quota was not legally binding for other parties (the women 30 percent quota was only applied by the governing party).

After the "revolution" of January 2011, Tunisia faced many security and stability problems. Nonetheless, the current situation is more positive though there are specific issues pertaining to power struggle among political movements which represent various societal projects, and the extremists' movements which exercise pressure on other parties.

Tunisia witnessed the emergence of a new civil society with the spread of associations and non-governmental organizations at local and national levels. These organizations have developed and implemented many activities related to human rights, civic rights, citizenship, democracy, equality, etc. Meanwhile, the political context focused on the preparations for the Tunisian Constituent Assembly elections, which took place in October 2011. There was also focus on ensuring equality in the democratic approach and law and participation. The analysis of the situation shows the following important and interesting indicators:

46. The 1956 constitution was written by men. Women were not allowed to run for parliament, the Tunisian Constituent Assembly, in 1957, nor were they allowed to vote

47. Dissolved by law number 14 of March 23, 2011

48. MAFFPEA

- The majority of the members of the Independent High Commission of Elections (ISIE) and its regional offices (IRIE) were men despite the fifty-fifty principle the commission called for (half men half women). Few women members occupied senior positions such as head or deputy head in the elections' administration. Women supervisors at polling stations constituted 32 percent of the total number of supervisors, which was an underrepresentation of the high percentage of educated and qualified women in Tunisia who were capable of involvement at the polling stations.
- Despite the legal fifty-fifty principle, which was enforced in the list of candidates, women candidates' percentage was only 7 percent. There was only one party that respected the spirit of the law by appointing women at the head of 16 out of 33 lists. This party was the Democratic Modernist Pole. Hence, it was obvious that only a small number of women would be elected to the Tunisian Constituent Assembly.
- During the election campaign, female candidates received less media attention compared to the three previous months, according to ISIE report. One or two television channels of the public sector allocated less than 10 percent of their time to women compared to Nessma TV, which is a private television channel that allocated 25 percent of its time for women.
- The percentage of elected women did not exceed 27.18 percent, which is close to that of the previous Parliament of Tunisia of 27.75 percent. However, the legal and political contexts are different now and women candidates, regardless of their party affiliation, actively participated in the election campaign. They faced many obstacles courageously, which largely contributed to their success in the elections.
- The Islamic movements have powerfully penetrated the political arena. The unequivocal support for such movements makes many Tunisians, especially women, to wonder whether the rights, which they had acquired over the past fifty years, will continue or not.

Actually, we must be aware, regardless of the context, that the struggle of women for their human rights is a continuous battle that becomes urgent or more important during times of transition. The battle is not just to acquire new rights, but to safeguard the acquired ones. In this context, we need to acknowledge the efforts of the civil society organizations, including the youth organizations, political parties, and the activists who joined the networks and alliances to call for reforms and to prevent any deterioration in the situation (at least safeguard the status quo).

1.2.3.3. Palestine

The political conditions that the Palestinian women undergo have provided them with early opportunities to join public life and be involved with the national movement. However, the central role of the Palestinian women in the struggle against the occupation and the struggle for strengthening democracy have not won them equal opportunities with men in the process of political decision making. The national movement has right from the start adopted the quota principle of women's representation to ensure women's participation in national and political activities. In any case, discrimination against women is still present and the quota principle constitutes one positive way of enhancing women's opportunities to occupy various positions.

Women's participation in the legislative elections of 1996 was the most up-to-date political participation. The Ministry of Women's Affairs and the civil society organizations, including the General Union of Palestinian Women, and then worked on strengthening the women's quota, which was approved in 2004⁽⁴⁹⁾. This procedure was an important factor that made women representation in the Palestinian Legislative Council reach 12.9 percent. The quota system helped raise the women's representation in local councils to 18 percent in 2004 and 2005. Despite

49. Elections law 20 percent for the legislative council in 2005, and two female members at least in the local and municipal councils

the guarantees of women's nomination in the legislative elections, the quota system is unfair to women since it does not support their participation with an appropriate percentage in the decision making process. The women's representation according to the quota system is less than what women deserve; it does not support women's access except through lists (constituencies are an exception). Henceforth, women have not won any of the seats that are allocated for constituencies in the last legislative elections. The local councils' elections law is more advanced than the legislative elections law with respect to guaranteeing women a quota in the seats; however, it is still legally unfair to women. Article 17 of the local councils' elections law number 10 was amended causing a setback to women's political participation and involvement in decision making (two seats out of 13) and in women's places in lists and bases.

The rate of women employees in the public sector reached 29.3 percent in 2008. This rate is higher than women's participation in the labor market. The rate of women in decision making positions in the executive authority is still low. The women who occupy deputy assistance posts are only 6 percent and 12.9 percent are directors general and 10.3 percent are directors. In 2008, the rate of women ambassadors did not exceed 5.4 percent. The current Palestinian government is the best one from the perspective of women's representation since it has five women ministers out of 23 ministers (or 21.7 percent). The rate of women ambassadors, on the other hand, dropped to 5 percent. The governor of Ramallah and Al Bireh is a woman, and the president of the Palestinian Central Bureau of Statistics is a woman. Despite the improved women's situation in the judicial system, their participation in this system did not exceed 13 percent in 2009 (Gaza Strip's rate is lower than that of the West Bank). The rate of female judges in 2009 registered 11.7 percent and the rate of female prosecutors in the same year was 5 percent. In 2006, the rate of women lawyers registered 17 percent and 16.3 percent for the West Bank and Gaza Strip, respectively.

Palestinian women's participation in the government, diplomatic work, legislative council, and municipal councils does not strengthen the principle of equal opportunities. It is not even in line with the desired size of women's presence in the Palestinian National Authority. The rate of women's participation in decision making positions in the Palestinian political parties does not reflect the actual political participation of women since they have been involved in political factions and parties from an early stage. However, women remained distanced from decision making positions in the political parties and factions except for Fida party, which elected Mrs. Zuhira Kamal as the first female secretary general of a Palestinian party.

Moreover, the rate of women in senior positions close to decision making in the Palestine Liberation Organization is still low, whereas the rate of women's participation in less important positions is high. Women in the Palestinian National Council constituted 7.5 percent out of the 744 members in 1996. The Executive Committee of the Palestine Liberation Organization, which is the most important decision making body, has 16 all-men members. The central committee of Fatah has no female members. Upon recommendations of the Fatah Conference, the Revolutionary Council of Fatah took a decision to allow 20 percent representation at least for women in the Fatah movement. Female students' participation in student councils is not very much different from women's participation in political parties, though such participation may be considered high since it stands at 24 percent. However, female students are still underrepresented at student councils at a number of universities.

According to the 2006 statistics of the Palestinian Central Bureau of Statistics, the rate of women in political parties was 10 percent in the central committee of the national front, 19.5 percent in the central committee of the democratic front in the West Bank and 16.5 in Gaza Strip; 19 percent in the central committee of the Palestinian Democratic Union (Fida). There are no data on women's representation at Islamic parties.

1.2.3.4. Lebanon

The constitution approved the right of Lebanese women to vote in 1952. Lebanon also approved the complete political rights of women in 1953. However, for Lebanese women to be eligible to run as candidates in the elections and hence potentially access the Parliament of Lebanon they need men (father, husband), or rather the absence of a man in the household. . Though women have the right to vote or be nominated for elections, there is a ceiling for women's employment in the elected or appointed public offices.

The Lebanese Women Council organized a conference in 1998 to deal with the low rate of participation of women in politics and the government. The Council and other women non-governmental organizations proposed to the government to adopt the quota system to ensure equal representation of women in the elections. The governments has not considered the proposal yet, despite Lebanon's promise in the Beijing conference to implement the decisions of the conference, most importantly the women quota, and participation in the Parliament of Lebanon and in other areas. Lebanon defined the implementation period by ten years. The Lebanese delegation to the conference was the largest Arab delegation. The situation remained the same until the Fouad Butros Committee called for allocating 30 percent at least for women in the electoral lists.

In any case, Lebanese women's access to national decision making and their political participation remain weak. As of 1992, with the first parliamentary elections after the war, women's presence in the parliament ranged between 2 and 4 percent. In 2005, six women reached the parliament (out of 128 members) or 4.7 percent. The rate dropped to 3.1 in 2009. While the Lebanese government bragged about conducting the most democratic elections in 2009, the number of nominated women did not exceed 12 out of 587 male nominees. These figures clearly show the low rate of women's participation.

In the executive authority, two female ministers were appointed in the government for the first time in 2004 (6.67 percent of the most senior government positions). In 2007, a female judge was appointed as president of the military court. Since then, women's presence in the governments remained symbolic (one minister out of 30 ministers). In 2009, two female ministers were appointed to head the ministries of finance and culture. The Miqati government of 2011 did not have any females and no women were appointed as governors. Two ladies only occupy the position of deputy governor.

Women's participation in trade unions' activities is very small in general, but high in specific trade unions. Women's presence in leaderships of unions is nil though the first women to head the bar association was elected in 2009. Women's presence in leading positions in the banks union, chamber of trade and industry, the board of directors of the manufacturers society, and the executive office of the workers' union is also nil except for one woman in its executive council of the workers' union. Lebanese women's representation in political parties is less than 20 percent; their representation in the politburo of the political parties does not exceed 5 percent.

In conclusion, there were attempts to enhance women's participation in the elected authorities through drafting election law in the aftermath of the municipal elections of May 2010. A women's quota was approved; however, the amendment was not approved. The results of the final elections were similar to the previous situation. A number of women's non-governmental organizations requested cancelation of the "sectarian quota" system in political representation that limited women's participation. This initiative is known in Lebanon as "canceling sectarianism in politics" but it has not produced any results yet.

2. Context and trends: between a not-too-distant past and uncertain future

Women have worked very hard and long to realize full partnership in development processes in their countries. However, they still face obstacles. Some of these obstacles are now considered – from many perspectives – dangerous. The obstacles include cultural legacies and social barriers that block women's participation as active factors in the change process. Moreover, the limited economic resources and lack of strategic planning (in favor of women's participation) have also prevented full participation of women in the development process. Other barriers that cannot be underestimated include political interests at the national and regional levels, which distance women from the public arena and direct their energies towards, in the best case scenario, the traditional roles. The barriers and obstacles have together contributed to more marginalization of women. Women have not been given any guarantees that empowerment and equality would mean fulfillment of their rights and improvement of their situation (such situation is strongly related to the dominant or exclusive roles involving motherhood, raising children, and chores).

The gender structure and patriarchal system constitute the logical framework that defines the statuses of men and women in the household and the society. Therefore, the gender structure and patriarchal system produce unbalanced relations and unequal sharing of rights. Change is possible; however, based on the context as shown throughout history. The change could lead to positive outcomes or to the deterioration of the situation as is the case with the current developments in the region. Arab women in some countries still struggle for participation and liberation to avoid more setbacks. Women do not just stand and watch history go by; they have been effective participants in revolutionary changes that improved men's liberties and statuses but left women behind. Women fought in the Algerian revolution against French colonialism from 1954 to 1962 side by side with men, but when Algeria became independent after 132 years of French occupation, women were made to return to their traditional and marginal roles of second degree in public life.

In Somalia, women were considered liberated in accordance with Islamic standards but when the civil war started, women were forced to acquire new habits such as staying at home and abandoning their usual clothes. These practices, which were not the practices of the Somali people before the war, put women behind curtains⁽⁵⁰⁾. The situation in Somalia can be blamed on the loss of security, which leads to loss of the achievements women had made and makes them the first to be harmed by the situation.

Women in Saudi Arabia are still holding on to their right to drive cars despite the setbacks. Women were imprisoned as a result of practicing this right. Surprisingly, women are permitted to drive in some areas of the country. The situation of Egyptian women is also difficult since the establishment of the Military Council which contained 18 members, all men. The situation is not much better in Libya since the National Transitional Council has only one female member. The new Moroccan government also has only one female member despite the new election law and the Moroccan constitution.

In Yemen, women had high aspirations during the so-called Arab Spring. Such aspirations were more ambitious than in other countries specifically because of the situation of women in Yemen before the start of the uprising. Yemen is the most conservative among the countries where revolutions took place with respect to the gap between men and women. It is known that Yemeni women were not at a leading position in public life; however, they were at the leading places during the protests. Their action was a second revolution; they expressed their viewpoint towards the future saying "We are here now; we will not go back to where we were and no one can push us back."

50. Purdah is like a curtain or screen, which is basically used in India to separate women from men or strangers.

II. General legal framework for the protection of human rights; implementation mechanisms, and Public and Private life

Undeniably, the efforts of the women's movements in the region and the civil society organizations have led to the achievement of a series of new initiatives on women's rights in private life and as citizens. The initiatives deal with issues that had been considered by the society and decision makers for a long time as taboos but they are now topics of discussion, explanation, and reform. Among the topics is the family law including distribution of roles and responsibilities on men and women, gender violence, sexual harassment, and equal citizenship rights, which some countries still discuss for political or economic reasons.

Violence against women is a sensitive issue. However, Arab countries' concerns about this issue has noticeably increased, not because of new cases but due to an increased awareness about the issue and an increased engagement of all effective parties and stakeholders, including government agencies.

1. Achievements

1.1. Regional achievements

1.1.1. Constitution and gender equality

The constitutions of most countries⁽⁵¹⁾ of the region call for equality between all citizens in general, or for equality between men and women, as well as equality and non-discrimination based on sex, religion, ethnicity, etc. Many efforts have been exerted to strengthen equality between citizens, men and women, in the national constitutions. Legislative reforms were also conducted in this area to introduce the principle of equality in political participation to the constitutions or special election laws. Hence, a number of Arab countries recognized that equal participation of men and women in the decision making process ensures the balance that reflects more accurately the societal structure, which is needed to strengthen democracy and its sound performance. To this end, these countries amended their constitutions, such as Algeria, which added a new article to its constitution that defines women's political participation, or by clearly adding the equal sharing principle to the constitution such as Morocco, or through an election law such as Tunisia (equal sharing) and Morocco (quota distribution on national list and local lists to give women more chances) before the final elections. Jordan and Iraq were among the countries that took positive steps to enhance women's rights in political life and representation opportunities in elected councils.

1.1.2. Amendments and reforms

The reforms that took place in a number of Arab countries required efforts and time on behalf of all existing stakeholders especially the civil society organizations, as well as international pressure, to make countries fulfill their obligations. The following are examples of reforms that took place in some countries: Egypt (the women's right to file for divorce or *khal'e*); Morocco (family law, criminal law with respect to sexual harassment only. The law still contains an article that forces a rapist to marry the raped without punishment and without considering the raped person's opinion, which leads to suicide in many cases for inability to tolerate such violence. The civil law and the citizenship law); Jordan (the leniency allowed in the case of honor killing, the citizenship law, and the *khal'e* law).

In Yemen, the ex-president demanded revocation of the *bayt al ta'a* law (a law that forces the wives to live with the husbands whom they hate and had already left). The revocation was originally submitted by the cabinet and approved by the parliament. The *bayt al ta'a* law was not

51. A number of countries do not have constitutions. Each country applies the Islamic Shari'a based on its own interpretation of it.

consistent with human rights or Islamic teachings since “the Quran says that married couples should either live a harmonious and balanced marital life, or end their marital relation if proven to be intolerable. This means that there is no marital life by force,” as stated by a previous female member of the parliament and a women’s human rights advocate in Yemen.

In Algeria, a national dialogue was organized by the minister of women’s affairs to reform the family law. The reference of such action was the Algerian president’s promise on March 8, 2001 to conduct legal, legislative, and political reforms. The reforms empowered women to participate in the development process, and ensure equality between men and women including at home. A national committee was established in October. Laws were reviewed in 2003. Reforms were conducted between 2005 and 2006 (family law, criminal law, civil law, and citizenship law).

The reforms’ highest achievement was the elections law, which dealt with women’s participation in the elections. The law gives women an increasing quota that ranges between 30 percent and 50 percent based on the total number of voters at each level, including Algerian expatriate communities. The outcomes of the reforms led to the success of 145 women (out of 462 members of the parliament) in the legislative elections of May 10, 2012. The number is equivalent to 31.88 percent of the total number of the members of the parliament. The number also enabled Algeria to exceed the international average of women’s political participation of 22 percent. The outcomes will have positive impact on Algeria’s place in international reports, especially the reports on gender development (the reports of the United Nations Development Program and the World Economic Forum).

1.1.3. Equal right to citizenship

The latest reforms in Morocco, Algeria, and Egypt, which included the citizenship law, showed the countries’ interests in realizing equality, though such interest varied among them. Algeria is the only country that has not placed any conditions to the women’s right to give her children and husband her nationality. Algeria was followed by Tunisia, which amended its law late in 2010 by canceling all conditions.

In early 2012, the United Arab Emirates gave nationalities to 1,117 persons of Emirati mothers and non-Emirati fathers. However, the condition imposed to give nationality was that the person must be at least eighteen years old. The step was the first of its kind in the Emirates to give Emirati nationality to children born to Emirati mothers but not to Emirati fathers. The Emirates News Agency published the news stating that the President of the United Arab Emirates, Sheikh Khalifa Ibin Zayid Al Nahyan, has issued “Emirati decisions to give Emirati nationality to 1,117 children born to Emirati women who had fulfilled the conditions to become Emirati nationals.” The decisions make the Emirates one of the few Arab countries that gives nationality to children born to female nationals providing that they reach eighteen years of age. Arab mothers suffer a lot due to that fact that their children cannot become nationals of their countries, which deprives their children of the rights given to nationals such as education, health, social security, and work.

1.1.4. Equality in other laws

Other laws such as education, health, and elections comprise the equality principle among all citizens in order to ensure equal opportunities of education, work, and the right to political participation especially in elections. The laws also comprise equality in the right to healthcare, social care, ownership, capital, credit, handling property, and the right to work⁽⁵²⁾. Laws also comprise exceptional cases that justify positive inclination to women, or they might be unjustifiably prejudiced against specific groups of society especially in the labor law.

52. None of national constitutions makes reference to females through the proper language forms based on Arabic conjugation rules

1.1.5. Personal status/ family laws

A number of initiatives have been put forward to reduce discriminatory laws that regulate the relationship between men and women within the family and within the framework of marital life. These laws have impact on the public life especially on women's public life with respect to legal procedures and regulations. Most Arab countries have unified personal status laws for Muslims; only some countries, such as Egypt, Lebanon, Qatar, and Bahrain, form exceptions in this regard⁽⁵³⁾. There are efforts in some countries such as Jordan and Egypt that aim to introduce amendments to reduce the impact of discrimination at the level of legislations and policies. In general, the personal status laws of the Arab countries reinforce the principle of discrimination against women. The amendments of such laws have not been up to the level of the of the caliber of the gradual amendments introduced to the legislation in the Arab Maghreb such as the family laws in Tunisia, Morocco, and Algeria. The amendments in these countries vary but they do strengthen equality and combat discrimination within the family.

The lesson learnt from the legislation in the Arab Maghreb is that it is possible to develop Arab laws that safeguard religious bases, and to adopt new interpretations that would ensure more equality between men and women and end the historic injustice against women in household relations.

1.1.6. Gender-based violence

As for the laws that deal with gender-based violence, Kurdistan - Iraq drafted a law to combat domestic violence in 2007. The drafting and enactment of the law took four years. After a marathon of meetings, debates, and discussions the law was endorsed by the parliament with large majority during a session held on June 21, 2012. The most important amendments to the original draft law include: (1) Defining domestic violence as any gender-based action, expression, or threat within the framework of the household relation; (2) establish a court specialized in hearing domestic violence cases; (3) amend the issue of degree of relation to include fourth degree relatives without having to be living in the same house; and (4) defining the types of violence, for example, but not limited to female circumcision, which is considered a crime and a type of domestic violence. Suicide is also considered as an outcome of domestic violence.

During the same year, the Iraqi government submitted to the parliament, through the Ministry of Women's Affairs, a draft law on combating domestic violence. The draft law was thoroughly revised by the government agencies, stakeholders, and the civil society.

In most cases, the female circumcision issue is dealt with by laws in Djibouti, Egypt, and Sudan. Governments have also enacted or strengthened regional laws that punish the criminals and support women who are subjected to violence. Other countries ratified laws against sexual harassment such as Algeria, Morocco, Tunisia, Jordan, and Egypt. There are countries that ratified laws against domestic violence and defined it from a gender perspective such as Jordan (Lebanon will soon follow). Human trafficking is another problem that few countries in the region address; however, some do attempt to provide solutions to this problem such as Algeria, which has signed the United Nations' Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. Moreover, the United Arab Emirates established a national commission to deal with human trafficking. Other countries like Kuwait, Lebanon, and Jordan face the human trafficking problem with support from the United Nations agencies such as the International Labor Organization and the United Nation Women, the United Nations Entity for Gender Equality and the Empowerment of Women through developing draft laws or procedures that protect the labor rights of foreign women and/or through awareness-raising programs.

53. The Aab Human Development Report, UNDP 2009

1.2. Analysis of laws and legislations of the countries under study

1.2.1. Constitution and gender equality

The constitutions of the countries under study (Jordan's constitution and amendments of 1952, Tunisia's constitution 57 of 1959 and its continuous amendments until it was suspended in 2011, Lebanon's constitution of 1962 and its continuous amendments, and the Palestinian Basic Law of 2003) do not comprise any discriminatory texts against women. They guarantee equality in rights and duties for all citizens. They also strengthen equality of all citizens before the law. Basic liberties such as political participation, personal liberty, equality in job opportunities in public offices, and other liberties and duties are guaranteed by the constitutions.

The Jordanian constitution of 1952, which was amended in 2011, clearly stipulates in Article 6 that, "Jordanians shall be equal before the law. There shall be no discrimination between them as regards to their rights and duties on grounds of race, language or religion." The calls to add "sex" to race, language or religion as items that cannot be used as grounds for discrimination against Jordanians were not considered in the 2011 amendments of the constitution of Jordan.

The Tunisia constitution, based on law number 57 of June 1, 1959, clearly stipulates that all citizens are equal in rights and duties. This clear statement of equality has its impact on the laws that regulate the public and private spheres. Tunisian laws in general have reinforced the principles of the constitutions with respect to safeguarding equality between men and women, including equality in public liberties, freedom of expression, and travel as stipulated by Articles 5 to 10 and 14. After the revolution, the Tunisian constitution was suspended⁽⁵⁴⁾. The period was considered interim⁽⁵⁵⁾ for all institutions and the establishment of a new republican system. Hence, the Tunisian Constituent Assembly was elected on October 23, 2011. The key tasks of the Assembly were to write the new constitution of Tunisia and organize elections that would lead to creating legislative and executive authorities⁽⁵⁶⁾.

The amended Palestinian Basic Law of 2003 defines and approves the public rights and liberties in chapter one. It focuses more on equality between men and women compared to previous laws that were enacted under different political and legal regimes that governed Palestine. The Palestinian Basic Law is the only constitution among the countries included in the study that clearly prohibits discriminating between men and women before the law and judiciary as stipulated by Article 9 "Palestinians shall be equal before the law and the judiciary, without discrimination based upon race, sex, color, religion, political views or disability."

Article 7 of the Lebanese constitution of 1926 stipulates, "All Lebanese shall be equal before the law. They shall equally enjoy civil and political rights and shall equally be bound by public obligations and duties without any distinction." Article 12 stipulates that, "Every Lebanese shall have the right to hold public office; no preference shall be made except on the basis of merit and competence, according to the conditions established by law." The Lebanese constitution guarantees a number of basic liberties such as political participation, personal liberty, equal public job opportunities, as well as other rights and liberties. The text, which was added to paragraph (b) of the preamble of the constitution of 1990 (Constitutional Law number 18 of September 21, 1990, which was approved in accordance with the Taif Agreement or the National Reconciliation Accord) stipulates that "Lebanon is ... a founding and active member of

54. The interim president appointed an interim government to administer the country. The constitution was suspended and the main constitutional institutions (House of Representative, Chamber of Councilors) were dissolved in 2011 following decree number 14 of March 23, 2011, related to the process of interim organization of public authority

55. The period during which the study was conducted (2011-2012)

56. By the time this report was completed (May 2012), there were no accurate indicators on the time and date during which the new constitution would be written and approved

the United Nations Organization and abides by its covenants and by the Universal Declaration of Human Rights. The Government shall embody these principles in all fields and areas without exception.”

The Lebanese constitutional council has ensured right from its first decisions in the areas of monitoring the constitutionality of the laws to refer to the preamble of the constitution and to the general constitutional principles and the declaration that says that the preamble “is part and parcel of the constitution and has constitutional provisions equal to the provisions of the constitution”, and that the international covenants referred to in the preamble are part and parcel of the preamble and have constitutional power.

1.2.2. Equal right to citizenship

The Jordanian Law No. 6 of 1954 on Nationality regulates the process of giving citizenship to Jordanian nationals. Article 9 stipulates that, “the children of a Jordanian man shall be Jordanian wherever they were born.” Article 8 stipulates that, “a foreign woman who marries a Jordanian national may acquire Jordanian nationality if she so wishes by making a written statement to that effect: (a) Three years after her marriage if she were an Arab national; (b) Five years after her marriage if she were a non-Arab national.” Article 11 stipulates that, “Where a foreign widow or divorced woman marries a Jordanian her children born before her marriage to him shall not automatically acquire Jordanian nationality by reason of such marriage.” Paragraphs 2 and 3 of Article 8 stipulate that, “a Jordanian woman who marries a non-Jordanian and who acquires the nationality of her husband may retain her Jordanian nationality unless she renounces it in accordance with the provisions of this Law, in which case she may subsequently recover her Jordanian nationality by making an application therefore if her marriage is dissolved for any reason. A Jordanian woman whose husband was or is being naturalized to acquire the nationality of another country because of special circumstances may retain her Jordanian nationality.” Article 3 of the same Law stipulates that, “the following shall be deemed to be Jordanian national ... any person born in the Hashemite Kingdom of Jordan of a mother holding the Jordanian nationality and of a father of unknown nationality or of a Stateless father or whose affiliation is not established. Any person born in the Hashemite Kingdom of Jordan of unknown parents, as a foundling in the Kingdom shall be considered born in the Kingdom pending evidence to the contrary...” Otherwise, the children born to a Jordanian woman may not, according to the Law, become Jordanian citizens. This requires conducting the necessary amendment to ensure granting nationality to children born to a Jordanian woman who is married to a non-Jordanian national so as to enable them to enjoy the rights of being Jordanian nationals, including civil and economic rights, which would be in line with international agreements including the Convention on the Elimination of All Forms of Discrimination against Women. Article 9 “the children of a Jordanian man shall be Jordanian wherever they were born” should be reviewed so that women would be given equal right to men with respect to the nationality of their children.

Tunisia issued its first Nationality Code on January 26, 1956. The Law was amended several times in 1963 and 2002. The amendment of the personal status law in 1993 included the nationality issue. Tunisian women were, therefore, given the right to give their names and nationality to their children equally with men even if they marry non-Tunisians, providing that the fathers agree (the provision “providing that the fathers agree” disqualifies the principle of equality). In the pre-1993 text of the Nationality Code⁽⁵⁷⁾, discrimination between parents in giving nationality to their children was strengthened. It gave priority to fathers. The legislators reviewed Article 12 of the Nationality Code, and the revision made children born to Tunisian women capable of obtaining

57. The code was issued following decree number 6 of 1963 of February 28, 1963 on rearranging the Tunisian nationality code. Its approval was based on law number 7 of 1963 dated April 22, 1963

Tunisian citizenship even if they were born abroad. However, such children need to apply for Tunisian citizenship a year before becoming adults or upon a joint statement by both parents if the child were less than 19 years old. The "joint statement" condition prevents children in some cases from obtaining Tunisian citizenship especially when the father is deceased or if he were legally unqualified. The legislator intervened again to avoid these cases by reviewing Article 12 on January 21, 2002, through law number 4 of 2002. The revision allowed the mother's statement to be sufficient in the event of the father's demise or being legally unqualified. Article 12 procedures faced additional practical difficulties in some cases where a child born abroad to a Tunisian mother but non-Tunisian father is deprived of Tunisian nationality when the parents are alive but divorced. This makes it hard for them to have a joint statement. The other difficulty is when the mother is deceased or legally unqualified. In 2010, the legislator intervened again to remove these difficulties and to ensure that national legislations were in line with international agreements. The intervention was through the law dated December 1, 2010⁽⁵⁸⁾, which cancelled Article 12 and amended Article 6 of the Nationality Code. The step meant full equality between men and women in giving Tunisian nationality to their children, regardless of the place of birth, father's nationality or consent, or the child's age. Though Tunisia has amended its law to realize full equality between men and women in giving nationality to their children, the giving of nationality to a husband is conditioned on living in Tunisia.

The Lebanese Nationality Law stipulates in Paragraph 15 of Article 1 that the Lebanese nationality may be given through the father or through birth in Lebanon. Hence, the Lebanese nationality laws allow nationality to be acquired through the Lebanese father. A Lebanese woman, therefore, cannot give Lebanese nationality to her children who are born to a non-Lebanese husband; she cannot give nationality to her husband either. On the other hand a Lebanese man can do that. A Lebanese woman can only give nationality to a child when the non-Lebanese father of that child is dead or unknown or stateless, which affects women's psychology and wellbeing especially in the cases of divorce or demise of the husband. It also affects the children's right to work, own, and obtain government support and resources. In Palestine, the right to nationality is still a dream for all Palestinians; it is part of the struggle for land and identity and state.

1.2.3. Equality in other Laws

1.2.3.1. Civil identity and family responsibilities

This section focuses on the legal organization of public life. It also contains an analysis of a number of frameworks and procedures pertaining to men's and women's civil and political rights and other related rights such as the right to freedom of movement, in addition to rights related to roles and responsibilities that are distributed in accordance with the gender structure. Such rights can be defined or altered by the law in exceptional cases by which women become in charge of their family affairs.

This section also deals with participation in public and political life, especially the right to vote and run in local and national elections. The focus will be on the countries where amendments to laws related to these specific rights are considered key if discrimination in the field of political participation is to be eliminated and equality achieved.

The provisions of the Jordanian Law number 5 of 2003 which regulates entitlements to and issuance of Jordanian passports dropped the condition that required women to obtain the consent of their male guardian or their husbands to apply for a passport (previously stipulated by the cancelled passport law of 1996). The law also gives authority to the minister of interior

58. Law number 55 dated December 1, 2010 on reviewing the provisions of the code

in humanitarian cases, with the approval of the prime minister, to issue a regular passport of an expiry date of no more than five renewable years to the children of Jordanian women. In the event of the demise of the father, his loss of his Jordanian citizenship, his abandonment of such citizenship, or being missing, or absent from Jordan, the Jordanian wife shall be considered the head of the household in accordance with Article 57 of the Civil Status Law number 9 of 2001. If a man has more than one wife, each wife and her children will be registered in a separate family registration book. A woman who is widowed, divorced, or married to a non-Jordanian may also obtain a separate family registration book if she wishes to do so. The addition of these provisions is in line with the standards of international agreements concerning women's rights.

The Tunisian law guarantees male and female children the right to hold their father's nationality upon birth, whether their birth was within a legalized marriage, or out of wedlock (as stipulated by Article 68 of the Civil Status Act, and the law of October 28, 1998 related to passing on a family name to abandoned children or the children of unknown origins). The law was reviewed again in 2004 to enable mothers to also pass on their family names to their children of unknown origins conditional to having a gene test done to prove motherhood of the child under question. Moreover, laws further guarantee the right to the best possible healthcare services and protection from malnutrition (in line with Article 24 of the Convention on the Rights of the Child). The identity of any man or woman in Tunisia is defined in accordance with Article 7 of the Obligations and Contracts Act of August 3, 1956.

Article 7 stipulates that "every human being, male or female, over twenty years of age is considered an adult in accordance with the law herein." Some legal provisions of the same Act stipulated that, "a wife may not seek a job or offer breastfeeding services without the consent of her husband; otherwise, he may end the employment" and that "a wife may handle one third of her wealth, unless her husband permits her to handle more than that. Such permission is not a guarantee unless the husband declares so." These two provisions were cancelled by law number 17 of February 7, 2000. The principle of equality between men and women was strengthened through revision of Article 1138 of August 9, 2005, which bestowed men alone with certain special provisions in the event of him being a guarantor to a wife, sister, or family member. The revision also included Article 1158, which contained provisions on eliminating the powers assigned to a guarantor of attorney of husband or a wife in the event of divorce. Based on the amendment women became full and independent legal personas in this regard. Women can sign any type of contract, initiate legal procedures, and testify in a court of law just like men. Women can also seek litigations and apply for the documents they need from all institutions upon reaching the legal age of adulthood.

1.2.3.2. Citizenship and political participation

The countries included in this study (Jordan, Lebanon, Palestine, and Tunisia) have, since their independence, adopted modern views and visions and they have adapted, in the course of time, their legislations accordingly. Hence, none of the constitutions in any of the four countries under study here contain any discriminatory provisions that prevent women from political participation, becoming members in political parties, represent elected bodies, or being assigned in executive authorities at local and national levels. Nevertheless, country contexts, their legal frameworks, special procedures and practices differ from one country to the other. Regardless of the specific differences between these countries, these four interrelated elements all have an impact on the participation of women in public life. The actual level of political participation of women remains modest in these four countries, to say the least.

In Jordan, the Political Parties Law number 32 of 1992 and its amendments give women full membership rights in political parties. The law considers women equal partners to men in political party's functions. However, women's participation is still insignificant in this area because of a number of reasons such as dominant cultural values, agendas to exclude women from political parties, and prevailing preconceptions on the roles to be assumed by men and women in political parties. As a result, these challenges more than often prevent women from accessing and assuming significant roles in political parties.

Jordanian women obtained the rights to vote and to run as electoral candidates in parliamentary elections by the General Elections Law of 1974. The previous elections law had excluded women from the exercise of these rights, and therefore, the word "male" in paragraph (a) of Article 2 of the previous law was replaced by the phrase "male or female" in the new law number 8 of 1974. However, this right was not practiced until 1989⁽⁵⁹⁾. In 2003, the Elections Law of 2001 was amended and six seats reserved for constituencies were added to the total number of seats in parliament to mark the beginning of a transitional phase that would eventually lead to the empowerment of women and ensure their future participation as members of the legislative authority and in decision making processes. The provisional House of Representatives' elections law number 9 of 2010 was amended and the 6 seats became 12 based on the rate of votes obtained by each female candidate. The additional seats would go to those women who managed to win the majority of votes in all sub-constituencies. However, according to this law, the number of winning female candidates must not exceed one winner for each governorate and for each of the closed lists of the Al Badiyah constituencies. Consequently, the Jordanian National Commission for Women submitted a request to the parliament to allocate 20 percent of the seats to women so as to ensure representation of all parts of the Kingdom and to realize a balance between men and women. The Commission also demanded an amendment to the way votes are calculated. The Municipalities Law of 1955 was amended several times in 1982, 1994, 1995, and 2003 and 2007. The 2007 version of the law (Law number 14 of 2007) stipulates in paragraph (b) of Article 9 that, "female candidates to municipal councils shall have no less than 20 percent of the members. They shall be the ones who win the highest number of votes. If the required number of female candidates was not met, or the allocated percentage was not fulfilled, appointment shall be made in accordance with a decision by the prime minister within the limits of the percentage. This text applies to the elected members of greater Amman." Hence, the number of seats for the women's quota became defined by the law and was translated into practice. The women's quota, under any circumstances cannot be less than 20 percent. The number of seats reserved for women totaled 218, out of which 211 in municipal councils (out of 929 seats), and 7 seats in the Greater Amman Municipal Council. The number of female candidates reached 380, or 18.4 percent, of the total number of candidates (2070).

Many recent developments have required Tunisia to build democratic institutions that function by the principle of inclusion, as opposed to exclusion, and as an outcome of which the new elections law was drafted based on legislative decree number 35 of May 10, 2011. This new law included special provisions to strengthen women's representation and ensure the realization of equal shares of representation between men and women in the Tunisian Constituent Assembly. Article 16 of the legislative decree stipulates "the principle of equality between men and women through arrangement of [male and female] candidates on the electoral lists in an alternating manner." Article 32 can be understood as a reinforcement of the election of women candidates through a voting system of proportional representation from among those candidates of closed lists who would be next in line after the winning candidates in one single election. As a consequence of this provision, 59 women won seats in parliament out of a total 217 seats (or 27.18 percent).

59. One woman candidate won a seat in the House of Representatives in 1993, and another woman candidate won a seat in the 2001 elections

In Palestine, the rate of women's participation in the Legislative Council and local councils increased between 2004 and 2005 because of a quota system which was passed in the Elections Law of 2004. The quota system asserts women 20 percent of seats in the Legislative Council, and a minimum of two female representatives in local and municipal councils.

In Lebanon, laws do not discriminate between men and women with respect to participation in public life. However, there are no special affirmative procedures which support raising the level of women's participation. At the same time, the sectarian provisions of laws in Lebanon rather contribute to limiting women's chances in political participation because of the strong competition between men of one sect which leaves no room for women, apart from some exceptional cases. Articles 9 and 10 of the Lebanese constitution ensure the spiritual independence of families and the right to manage personal status affairs independently. The sectarian system of Lebanon guarantees sectarian representation in public life either as elected representatives in relevant institutions, or through assignment or employment in executive and administrative institutions. Sectarianism therefore affects not only the private sphere, but also the legal organization of public life.

1.2.4. Personal status laws (family laws)

The so-called personal status law, or family law – denomination of the law varies from country to country – is the set of provisions that regulate marriage, divorce, custody over children, and alimony. It generally organizes the relationship between husband and wife and within the family. In most Arab countries and in most cases amendments to the personal status law are based on views derived from traditional perceptions of role division between men and women. The amendments fail to take into account changes and developments, and they seem blind to both the perspective of a mother whose main role is often reduced to that of the reproductive role, and the perspective of a father who is burdened with the role of the sole breadwinner. These amendments also lack any notion of a just and equal distribution of rights and responsibilities, as can often be observed in cases over child custody.

Personal status or family laws also regulate other affairs such as the right to inheritance, the right to obtain and manage private property, the right to free movement, the right to work, etc. This section focuses on the most important provisions of personal status laws in Jordan, Tunisia, Palestine, and Lebanon. This section also analyzes the most important amendments to these laws which were introduced to support the realization of equality between men and women in personal and family affairs. It also presents a reading of the direct and indirect impact of the existing personal status laws on women's access to and control of resources, the involvement of women in decision making processes, and on their economic empowerment.

1.2.4.1. Minimum age for marriage

Many amendments were introduced to the Jordanian family status law, the latest in Law number 8 of 2011, including the legal age for marriage. The personal status law increased the minimum age for marriage to 18 years for both males and females. Yet, at the same time, the law allows a judge to approve the marriage of couples who are below this age provided that they have reached 15 years of age and that the marriage serves an interest that is based on legal grounds which are to be officially confirmed by the chief of justice for the purpose of this specific marriage. In addition, and while the law increases the legal age for marriage to 18 years, it gives the judge the power to approve the marriage of girls below 18, but above 15 years of age, under the condition that strict limits are defined and agreed on which would guarantee the prevention of harm that may be inflicted upon the girl.

The minimum age for marriage according to the Tunisian personal status law is 18 years, for males and females. In Palestine, the law of 1951, which is still enacted in the West Bank, empowers the judge to approve of the marriage of a girl who has reached the age of 14 provided that she could tolerate marriage. The 1976 law allowed marriage for males and females who have completed 16 and 15 years of age, respectively. This law is in violation of the Convention on the Rights of the Child, which stipulates that age 18 marks the end of the childhood phase. In the Gaza Strip, the family law contains a number of articles that regulate marriage. Article 5 of the law stipulates that the minimum age for marriage is 18 years for males and 17 for females. However, the law allows the judge to join in matrimony a young man below the age 18 if, and only if the judge is convinced that the bridegroom to be has reached a level of maturity by which he can be considered an adult. Similarly, article 7 allows a judge to accept the marriage of a young woman below age 17, if, and only if the judge is convinced that the bride to be has reached a level of maturity by which she can be considered an adult. Article 8 of the prohibits a judge from accepting the marriage of a boy under age 12 and a girl under 9; this leads to the conclusion that the actual legal minimum age for marriage in the Gaza Strip is 12 for boys and 9 for girls. Hence, it is left to the judge to decide on the age brackets to be applied, 17 and 18, or 9 and 12 years of age.

1.2.4.2. Marriage contract and potential consequences

The Jordanian Personal Status Law number 61 of 1976 and its amendments include provisions that regulate marriage contracts and the consequent rights and duties. Article 37 of the law stipulates that women may include a provision in the marriage contract that ensures their interest providing that it is not in violation of the marriage purposes and the law. Women may, according to Article 38, demand in the marriage contract to be able to file for divorce without losing any of the rights resulting from marriage. The provisions of Article 11 prevent marriage between couples where the male is more than 20 years older than the female unless the judge is certain about the female's consent. The Jordanian law also obligates judges before conducting a marriage contract to ensure that the bridegroom to be is capable of affording a dowry and provide financial support. If a man wants to marry more than one woman, the Jordanian law requires the judge to make sure that the man is capable financially to pay dowry and provide financial support, before the marriage is legally done. The judge must inform the bride to be that the man is married and the court must inform his wife (wives) after conducting the marriage contract.

The Tunisian Personal Status Act⁽⁶⁰⁾ was enacted before the Tunisian constitution. It provides the regulating framework for the roles of men and women roles within the family and the community. The law is in line with the international obligations of Tunisia in the area of women's rights. It not only approves of civil marriage but – on the basis of equality between men and women – considers official civil marriage the sole means to the legal union of a couple before the law, and to legal divorce, and to the establishment of family as a building block of society. To ensure women's rights and to avoid early marriage and arbitrary divorce or separation, legislation requires the marriage contract to be officially based on the Civil Status Law of August 1, 1957, and to be drafted and released by a civil status officer (Article 4 of the Personal Status Act). Because it is hard or even impossible to have justice in polygamy, it was legally prohibited as of the first issuance of the Personal Status Act.

The family laws that are in effect in the West Bank and the Gaza Strip in Palestine permit polygamy for Muslims. They allow a man to marry up to four women. Also, official documents (passports, forms used by institutions concerned with public sector employment) acknowledge polygamy as a man may register more than one wife in his passport or in his official job registration form.

60. The Act was issued in 1956 following an order dated August 17, 1956. It was published in issue 66 of the official gazette in Tunisia

In Lebanon the state transfers the jurisdiction over personal status issues to the confessional groups within the Lebanese society – today there are 18 officially recognized confessional groups. Each confession applies a distinct set of provisions to regulate the family related rights of its followers in line with the religious or sectarian doctrine or ethnic values of the group. As a result, each confessional group, or sect, has its own courts, laws and provisions, and legal procedures; sectarian courts are independent from the state judiciary. The application of different confessionalist personal status laws, which differ based on religious or cultural beliefs that prevail within one community, poses a constant threat to the achievement of rights related to marriage, divorce, inheritance and custody over children, and it enforces a legal culture of inequality. Initiatives to correct this legal situation – even initiatives that were supported at the highest state levels – were vehemently opposed by the sects who hold that any attempt to change the status quo constitutes a direct threat to their interests. In 1998, a draft optional civil marriage law was submitted to the cabinet with the backing of the Lebanese president. The law was approved by 21 ministers and rejected by 6, with one minister abstaining. The protests that took to the streets, driven by the rejection of the law as proclaimed by different Christian and Muslim religious leaders, resulted in a freezing of the draft law. Up to date, the draft law has not been passed to parliament for a final vote. Today, Lebanese women continue to suffer from the provisions of the different sectarian personal status laws, even if this suffering may vary in extent depending on the sectarian law that applies to each woman's individual case. Because of the big number of confessional groups, and because of their solid positions in the private and public lives of the Lebanese society it seems impossible to reach a solution that is independent of the sects. Ironically, if a Lebanese citizen is married by civil courts in a foreign country, the civil marriage is recognized and can be registered with the state of Lebanon. This exception that is practiced by official state institutions annulates the validity of the arguments brought forth by confessional groups in opposition to the Lebanese draft optional civil marriage law.

1.2.4.3. Marital relation

Among the significant amendments introduced to Tunisian legislation concerned with regulating the relationship between spouses is the amendment introduced to the provisions of Article 23 of the Personal Status Act of 1993. This amendment removed the marital duty of "obedience to the husband" which was legally demanded from the wife, and replaced it with the notion of joint commitment which demands a spirit of cooperation between the spouses, a feeling of partnership in life, and mutual support and solidarity. The new provisions strengthen Article 24 of the same Act, which stipulates that, "no husband may have guardianship over his wife's wealth." yet, when the patriarchal system is upheld as a model family structure then this results in an enforcement of a culture of gender-based discrimination in which tradition gender roles prevail. The traditional view holds that by assuming the role of the family supporter, the man naturally also assumes the role of the head of family with all its implications on the family power structure. Previously, Article 23 mentioned above had supported this view before the notion of obedience was abolished.

Despite the continuous modernization of the Tunisian Personal Status Act, some areas in it remain conservative and provide a legal basis for gender-based discrimination and inequality between men and women. As an example, Articles 3, 12, and 13 stipulate that the validity of a marriage is only complete following agreement on the dowry to be paid to the bride to be. This stipulation embodies the notion that the legal relationship between spouses is a give-and-take relationship or one that is based on receiving a benefit, as opposed to it being a relationship that is based on mutual consent. There is an implicit insult to the status of women in the stipulations of these articles. The final parts of the Tunisian Personal Status Act focus on the area of inheritance. Here the relevant articles foresee that a woman is to inherit less than a man, even though both carry

equally the burden of providing for their family. Here again, the gender-based discrimination cannot be denied as the provisions in these articles solidify the discrimination within the marital relationship. Furthermore, they deprive a woman from resources that should be legitimately hers by inheritance and hence reduce her options to make use of these resources which would ensure her status and her economic empowerment.

In Palestine, the Muslim and Christian communities apply the Islamic Shari'a laws in inheritance. According to this law, in a case where a parent passes away, a woman inherits half the amount of the share that her brother, or any one of her brothers, would inherit. The law also discriminates against the wife in inheriting her husband in the case where the women bore only female children, and no males. In other words, if a woman is to inherit her husband and they have a son, then the inheritance of the husband is divided among his family members and the husband's siblings are excluded. If, however, the husband dies and he has only daughters, then his inheritance would be divided among his wife and daughters and also among his siblings.

1.2.4.4. Two types of divorce

In its amendments to its personal status law, Jordan included provisions that regulate the act of divorce known as *khal'e*, which is defined as follows: According to paragraph (a) of Article 114, a wife may apply for separation from her husband when the marriage has not been consummated under the condition that she returns what she had received so far from her dowry in addition to any other gifts made to her by the husband and the expenses the husband had incurred in the process of completing all steps towards marriage. A wife may apply for separation after consummation of marriage by stating that she has decided that her life with her husband has become intolerable, and she will hence sacrifice all her marital rights to be separated from him. In both cases, the court attempts to reconcile husband and wife. If the attempt fails, the court transfers the case to two arbitrators. If no solution is reached through the two arbitrators, then the court terminates their marriage contract. According to provisions of the law, the average compensation amount for an arbitrary divorce rose from one year alimony to three years, which is not only insufficient, but fails to take into account the years spent in marriage.

The Tunisian law provides a number of guarantees during the divorce phase and until the marriage contract is terminated. The termination of a marriage contract in Tunisia can only be done in front of a court of law even if both spouses reach a mutual consent on the divorce and the issues related to it. This provision safeguards the rights of the husband and wife, and their children, and gives equal opportunity to women to divorce from their husbands. In the past, the right to file for divorce was a right reserved exclusively for men.

In Palestine, according to the Shari'a laws in effect in the West Bank and the Gaza Strip, the husband has the exclusive right to file for divorce, and he can practice this right at any time, and without consulting his wife (or wives).. The divorce may even be pronounced and come into effect in absentia.

In Lebanon, a person's pertinence to a confessional group or sect will affect his or her rights in divorce based on the relevant sectarian law that is to be applied in each case. There is no room for doubt that Lebanese women are treated unequally and with discrimination because of the prevalent legal structure in Lebanon with a number of different sectarian courts applying different personal status laws. The inequality and discrimination stretch beyond the family sphere, into the domain of the confessional groups, and distinguishes in its intensity and impact between women of different sects. The constitution enforces such discrimination as it stipulates that "the sectarian courts take charge of personal and family matters." The implications of this legal

provision become especially obvious in the case of divorce when the spouses pertain to different sects. The practices of divorce and their impact on the life of the wife and children vary, but in all cases discrimination is legally being practiced.

1.2.4.5. Guardianship, custody and care of children

In Jordan, the Personal Status Law number 36 of 2010 stipulates in paragraph 1 of Article 173 that women may have custody of their children until the age of 15 – this is considered a positive amendment in favor of women. The children are then given the choice to stay with their mother until adulthood. A mother's custody is extended if the child was sick and required the constant care of his/her mother⁽⁶¹⁾; simultaneously this may increase the burden of mothers, especially the financial burdens, as the father would usually have established a new family for which he is providing.

Article 181 treats a father and mother equally in terms of the right to see their children. A mother has the right to see the child who is under the father's custody, meet and take the child outside the father's home, communicate with the child through modern telecommunication methods, and also may accommodate the child overnight. Paragraph (a) of Article 177 stipulates that a custodian of a child may take/him her on a legitimate temporary travel abroad. If the child's custodian refuses such a travel, a judge may approve the travel after ensuring the wellbeing of the child as well as imposing specific binding controls.

On the other hand, the Jordanian law allows a legal male guardian as defined in the Shari'a law to take a female under his guardianship provided that she is under 30 years of age, and that the situation deems that she cannot live on her own, and that the guardianship is not established with the purpose of inflicting harm upon her. Before the amendment of this article, the ceiling for the age of a female to be taken under guardianship was 40, which means that the Personal Status Law considers a woman "underage" and in need of a guardian regardless of her age.

In Tunisia, guardianship of children is by principle the father's responsibility. However, that does not exempt him from his obligation to consult with the child's mother on issues of wellbeing of the child. Guardianship is automatically transferred to a mother in issues related to a child's study, travel, and handling of the child's financial accounts. All responsibilities and entitlements related to the guardianship of the child may be transferred to the child's mother by rule of court if this serves to protect the child from abuse by the original guardian, the father. This is stipulated by Article 60 of the 1993 Personal Status Act, which enables mothers to look after the affairs of the child under custody including the taking of decisions related to the child's education. To ensure a decent life for married women and their children, Article 23 stipulates that the husband must support the family as best as he could. The law allows women to resort to the courts of law if her ex-husband does not meet his financial obligations.

In the Gaza Strip, the family law allows women to be the custodians of their children: custody over a boy until he has completed 7-9 years of age, and custody over a girl until she has completed 9-11 years of age. In either case, the benefit that would result for the child of transferring the custody to its mother needs to be established. The High Shari'a Court has issued a number of decisions by which the age ceiling of a child for which the mother may retain custody was raised so as to be in line with the Personal Status Law of the West Bank. Currently, upon circulations by the Chief Justice, a mothers' custody of her children extends to their adulthood.

61. For non-Muslim custodians the law restricts custody to 7 years

In 2011, Lebanon took a number of positive steps⁽⁶²⁾ that further protect women's rights in the private sphere. In a rare interaction between the Lebanese women's movement and religious authorities, the High Islamic Shari'a Council increased the age ceiling of a child until which it remains in the mother's custody to 12 years

1.2.5. Gender-based violence

Gender-based violence is a key concern that is set high on international human rights agendas. Gender-based violence refers to a broad variety of violations and maltreatment, including discrimination and violations of human and women's rights resulting from such discrimination, not excluding economic rights. Gender-based violence/ violence against women are considered one of the worst forms of violence for the harm and burden it inflicts upon women. Gender-based violence includes, but is not limited to discrimination, rape, choosing the sex of a baby before its birth, and female circumcision. Gender-based violence also includes sexual abuse of children, domestic violence, sexual harassment, women trafficking, deprivation of education and of personal liberty and of freedom of movement and the curtailing of the right to work (Population Conference, Cairo, 1994). The level of awareness on gender-based violence/ violence against women has increased in Arab countries since the 1990s because of continuous and tireless efforts undertaken by civil society organizations. Many countries conducted legal and political reforms, including the countries included in this study.

Some countries adopt the international definition of domestic violence, which includes violence against all family members, children, men, men against men, women against men, etc. In any case, girls and women remain the most vulnerable to domestic violence. This section dwells on the legal procedures covering many types of violence (physical, psychological, and sexual) within and outside the family sphere, with focus on some selected and specifically relevant forms of violence.

1.2.5.1. Forms of domestic and external violence

The Jordanian legislations, especially the Penal Code number 16 of 1960, criminalize all forms of violence, including beating. Article 208 of the amended Penal Law number 49 of 2007 includes, as punishable acts, the infliction of pain and the exposure to torture for any reason based on any discriminatory motive. A court of law may not refrain from issuing a rule of punishment, nor may it deal leniently with such acts. These provisions are introduced to the law to ensure that human rights are protected and to prohibit inhumane acts that cause pain and suffering. Such provisions are in line with international human rights standards as enshrined in the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment. The Provisional Penal Code number 8 of 2010 included a provision that ended judicial leniency in cases of honor killings. Article 308, which was added through the Provisional Penal Code number 8 of 2010 and approved in the Penal Code number 12 of 2011 stipulates that, "Taking into consideration Article 308 of the law herein, it shall not be allowed to use lenient causes in the honor crimes if the victim has not turned eighteen yet and the perpetrator has already turned eighteen."

Article 5 of the Law on Protection against Domestic Violence number 6 of 2008 defines domestic violence as any act of violence that is committed by one family member against another, but excludes those acts that fall under the jurisdiction of criminal courts. The law also lists all legal procedures applicable to cases of domestic violence. Public and private sector service providers – such as health care and social security providers, and educational institutions – are obliged to report to the relevant authorities any cases where a suspicion arises that an act of domestic violence has been committed. The law also lists the procedures to be followed by law enforcement and the official family protection department in cases of domestic violence.

62. Such as canceling Article 562 of honor crimes

In April 2010, after a large-scale campaign⁽⁶³⁾ has been conducted which was supported by public debates and discussions rounds on domestic violence, the Lebanese government approved a draft law on domestic violence, which was proposed by the ministers of justice and interior, and submitted it to the parliament for endorsement. The draft law adopted the definitions and principles as stipulated in relevant international conventions, and covered all forms of gender-based violence, including physical, psychological, and sexual violence, institutionalized violence and marital rape. It also includes honor killings, the most serious form of violence, for which the punishment in the previous laws varied from one month imprisonment to capital punishment. The endorsement of the draft law would, so it was thought, set a regional precedence and an example for other countries in the region. Since its submission, Lebanon has seen three governments come and go. The draft law is still being debated in the parliament, with most reservations being held against the issue of marital rape. It has not been endorsed yet.

1.2.5.2. Sexual violence

Rape, sexual assaults, kidnapping, and sexual harassment are considered acts of crime in Jordan. The amended Penal Code of 2010 contains strict punishment to those who commit rape, kidnapping, and sexual assaults. The punishments for those who commit such acts against minors are also strict.

Tunisia has a penal system that generally protects women from sexual abuse and sexual assaults. The penal law negates the validity of a consent which is assumingly given by a girl less than 15 years of age when this consent relates to pursuant sexual act with a second party even if this act did not include violence. Consequently, the law considers a sexual act committed against a girl less than 15 years of age a criminal act. Moreover, committing sexual acts with those between 15 and 20 years of age is considered misdemeanor (Article 227 of the Penal Code). The punishment is doubled when the sexual act is committed by a person who has authority over the girl, be it someone from inside or outside the family. The rape of children is a criminal act punishable by death if the perpetrator had used violence or threatened the victim with a weapon. The perpetrator of a sexual assault against a girl who is less than 10 years old would be sentenced to death, even when no weapons or violence were used. The penalty for soliciting prostitution doubles if the girl were still a child.

The Penal Code in Lebanon is based on gender. Its penalties and concepts strengthen gender discrimination and inequality and violence against women. For instance, the penal code discriminates between men and women in cases of adultery. A husband who commits adultery at home or had an affair publicly would not be punished; whereas, a wife would be punished for committing adultery at home or anywhere else. The husband may be punished by incarceration for one month to one year; whereas, a wife would be incarcerated for three months to two years (articles 487 and 488 of the Penal Code). Articles 503 and 504 allow the husband to have sex with his wife under the use of violence and threats (marital rape). Rape, especially marital rape, is an assault on women's dignity and a violation of her right to safety, which contradicts the stipulations of international conventions and agreements and human rights principles. The Declaration on the Elimination of Violence against Women stipulates that rape including marital rape,⁽⁶⁴⁾ is a form of violence against women. The definition of violence used in the Declaration on the Elimination of Violence against Women is similar to the definition used for gender-based violence in the draft law, which was approved by the government in April 2010. Article 522 of the Penal Code stipulates

63. The alliance was initially formed by 19 organizations and later expanded to include 40 members among them a number of ministries, such as justice and social affairs, in addition to other government institutions

64. According to Article 2 of the Declaration on the Elimination of Violence against Women, "violence against women shall be understood to encompass, but not be limited to, the following: (a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape ...

that if a perpetrator of a sexual assault (as defined in articles 503 to 521), including rape, marries his victim, the legal persecution of the perpetrator shall end and if he were sentenced by a court of law, the sentence would be suspended.

1.2.5.3. Human trafficking, women trafficking

In Jordan, Law against Human Trafficking number 9 of 2009 was enacted in line with Jordan's obligations being a signatory to the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children of 2000. The law of 2009 criminalizes women trafficking. If trafficking involves women and children, then the act is considered a felony according to articles 3 and 9 of the penal code.

In 2008, Lebanon adopted the Arab Charter on Human Rights signed in Tunisia on May 22, 2004 during the Arab League 16th session. Article 10 of the Charta prohibits "any forms of slavery and trafficking in persons." The Charter also prohibits "slavery and trafficking in persons for the purposes of prostitution or sexual abuse or any other forms of abusing children during armed conflicts" (Law number 1 of September 5, 2008). International pressure has resulted in a partial alignment of the Lebanese legislation on trafficking with international standards, either through enacting new laws or amending old one such as the Law on Punishing Human Trafficking Crimes. However, neither procedures were introduced nor legislative efforts were taken to review the existing systems that make human trafficking possible.

In summary, the situation of the Lebanese legislation with regard to the crime of human trafficking is such that there is no specific legislation or law that determines the elements of this crime. However, the country is in the process of drafting a law on human trafficking, and has already taken a number of steps towards finalizing the draft. Among these steps is a study⁽⁶⁵⁾ conducted on analyzing the consistency of the Lebanese law with the United Nations' Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. The study shows that (1) Human trafficking cases in Lebanon are limited; they are subject to different provisions of the Lebanese legislation since no legal definition yet exists for the crime of human trafficking; and (2) Women working at nightclubs, fashion models, and masseuse constitute the groups of women that are most subjected to human trafficking. Most of the complaints of these women are related to sexual exploitation. Despite the strict regulation for women working at nightclubs (defined as artists by the Lebanese law), agents deceive girls and force them into prostitution. When these women are reported on and caught, the women are deported to their countries of origin without further legal persecution. At the same time, the procedures taken by the General Directorate for Public Security against agents may include filing an official complaint through the legal channels on the punishable crime of soliciting for prostitution. Yet, the procedures are also often limited to issuing an administrative warning, or posing restrictions on importing women into Lebanon. Reports on criminal cases among juveniles reveal practices of prostitution and rape. In 1983, Lebanon cancelled the provisions of the penal code on the prostitution of minors, and enacted instead a special law on juveniles entitled the 2002 law for the "protection of juvenile outlaws or vulnerable juveniles." As an implementation of this law, a correctional center was established in 2004 to discipline female minors who were already sentenced or still in detention⁽⁶⁶⁾. According to the data of the Ministry of Justice, the number of juvenile prostitution cases totals 22 a year, out of which are 7 female and 15male cases⁽⁶⁷⁾.

65. Ministry of Justice, in cooperation with the United Nations Office on Drugs and Crime and the UNICEF, Human Trafficking in Lebanon(Prevention and Combating Human Trafficking, Situation in Lebanon), May 2008, pp. 40-41

66. The National Commission for Lebanese Women, Second Official Report on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 2004, pp. 44-45

67. Ministry of Justice, in cooperation with the United Nations Office on Drugs and Crime and the UNICEF, Human Trafficking in Lebanon(Prevention and Combating Human Trafficking, Situation in Lebanon), May 2008, p. 43

1.2.5.4. Killing of women on the name of Honor

Article 340 of the Jordanian Penal Code of 1960 stipulated that, “a [perpetrator of honor killing] may benefit from lenient punishment if he takes by surprise his wife or [female relative] while committing adultery [or while copulating] with another person and kills or wounds or harms both or one of them. The perpetrator may benefit from leniency if he takes by surprise his wife or [female relative] or children in an illegitimate sexual act.” This Article was amended after the revision, which was based on the review of laws related to violence against women, in accordance with provisional law number 86 of 2001 as follows. “(1) a [male perpetrator of honor killing] may benefit from lenient punishment if he takes by surprise his wife or [female relative] or children while committing the crime of adultery [or while copulating] or in an illegitimate sexual act and kills them immediately or kills the male adulterer or kills both of them or wounds or harms both or one of them where such act leads to wounding, harming, handicap, or death; (2) a [female perpetrator of honor killing] may benefit from the same lenient punishment if she takes by surprise her husband while committing the crime of adultery or in an illegitimate sexual act at home and kills him immediately or kills the female adulterer or kills both of them or wounds or harms both or one of them where such act leads to wounding, harming, handicap, or death; (3) a. The legitimate right of [self] defense shall not be used against those who benefit from this leniency, b. The harsher sentences may not be used against the person who benefits from this leniency.”

The amendment of the article does not seem to have ensured equality between men and women though it imposes lenient punishment rather than acquittal in the case of honor killing. The retribution of women in honor killing and benefiting from leniency is conditioned on adultery being committed “at home” while men can benefit from the lenient sentencing wherever the crime of honor killing takes place. Anyhow, justice requires the cancellation of the entire Article since the law comprises an article (Article 98), which applies to all crimes. It stipulates that “A perpetrator of a crime may benefit from lenient sentencing if such perpetrator was in extreme wrath upon committing the crime as a result of unlawful and dangerous act perpetrated by the victim.” Article 308 must also be cancelled in order to achieve justice for women’s human rights since it excuses the perpetrator of illegitimate sexual act of aggression once the perpetrator marries the victim, which also terminates the criminal pursuit against him, regardless of the victim’s consent with respect to the marriage.

In Tunisia, the provisions of Article 207 of the Penal Code, which gave lenient sentences to a husband who kills his wife and her partner during the act of adultery, were cancelled. A law was published on August 2, 2004 to protect women and men from sexual harassment. Article 562 of the Lebanese Penal Code gave leniency to the man “who takes his wife or a relative or children or sister by surprise while committing adultery [or while copulating] or committing illegitimate sexual act and unintentionally kills or harms one of them.” The Article was amended in 1999 through Law number 7 of February 20, 1999. “Leniency” was replaced by “reduced sentence” in 1999. However, what is needed is to cancel Article 562 altogether since it violates human rights and human rights principles, especially the right to life, equality, and not being subjected to any discrimination and the right to personal safety. Additionally, the lenient sentence encourages more violence⁽⁶⁸⁾. The Lebanese judiciary is very strict with the motives of the perpetrators. It scarcely finds “honest” motives. This is a positive approach by the Lebanese judiciary, which is also pointed out in the third official report on the Convention on the Elimination of All Forms of Discrimination against Women⁽⁶⁹⁾.

68. Lebanese courts processed 66 honor killing cases between 1999 and 2007. The cases were about killing women by a member of their households. Nine cases used the word “honor.” The judiciary rarely uses the word “honor” (less than 6 percent). More than 23 cases were blamed on selfishness rather than honor. Article 562 was only mentioned few times in the 66 cases, and the judiciary used Article 562 once to give a reduced sentence. Aza Baidoon, *Women Murder Crimes before Lebanese Judiciary, Enough Violence and Exploitation*, 2008

69. The National Commission for Lebanese Women, *Third Official Report on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*, 2004, p 20

However, such positive approach does not cancel Article 562. "Its impact stays with the perpetrators who find excuses to their crimes in a patriarchal society. The Article is excellent motive for murder."⁽⁷⁰⁾ The Law on Safeguarding Public Health of February 6, 1931 and Article 523 of the Penal Code deal with prostitution, soliciting for prostitution, and violating public manners. The Lebanese law prohibits secret prostitution; it subjects prostitution houses to specific conditions. The Lebanese security forces may break into suspicious and unlicensed places and shut them down for good. The law also strictly punishes pandering especially the relatives of the woman who force her into prostitution such as the father or husband or boss. However, the law does not punish the clients. The reports on prostitution at the police departments in Lebanon show that most prostitutes were originally victims of rape or victims of social problems or drugs⁽⁷¹⁾.

1.3. Opinions and stances of respondents in the countries under study

1.3.1 . Legislations

The assessments of the (female) respondents in the rapid participatory assessments varied. A number of respondents said they were satisfied with the legislations in their countries. A respondent in a leading public office in Jordan said, "Our law is very good when compared to the laws of Arab countries. However, we aspire for the best." A Tunisian businesswoman from Nabeul governorate said, "thanks to the freedom Tunisian women enjoy I could start a business. I am a widow. Despite my in laws' rejection, I insisted on starting a business." Nada, a peasant from the same Tunisian governorate said, "We have the liberty to prove ourselves. However, there are concerns about the laws that protect women in Tunisia these days." Other respondents pinpointed the loopholes in the legislations of their countries. Fatima, who works for the Nafaqa Fund in Palestine said, "Many draft laws consider international agreements. The effective laws have many loopholes and legal issues. The labor law requires executive committees and monitoring because it is a vital law. Enforcement of laws requires competencies and financial resources as well as political will."

A respondent in a leading public office in Jordan said, "Implementation and the culture of the society are the problems. The law does not discriminate between men and women. The issue is cultural more than legal. The law does not prohibit women from owning [property] or inheriting or working." A respondent who works for a women's organization said, "The law has no problems. The problem is with individuals." This view is approved by the respondent in a leading public office in Jordan who said, "Our problem is not with our systems or laws or constitution. It is with making things personal." Zahra, a rural businesswoman from Manouba governorate in Tunisia said, "Laws are insufficient to protect women since not all women demand their rights. There are women who are beaten but do not complain. The social environment does not encourage women to demand their rights. Hence, not many women dare to penetrate economic life. For example, there are a small number of women selling and buying sheep at the sheep market though there is nothing to stop them from doing so."

1.3.2. Women's rights and discrimination between men and women

Most respondents said that women were still subjected to many forms of discrimination publically and privately. Women are discriminated against at work, with job opportunities, salary, job hierarchy, and benefits compared to men. In the private sector, women could be luckier than men in finding a job because they work longer hours for less pay. Here are some examples from the rapid participatory assessments carried out in Jordan, Tunisia, and Lebanon.

1.3.2.1 Jordan

Respondents in the sample of stakeholders and representatives of women's economic empowerment agreed that Jordanian women enjoyed many human rights, but that there are many forms of discrimination and inequality practiced against them. The enjoyment of rights and the suffering

70. Aza Baidoon, *Women Murder Crimes before Lebanese Judiciary, Enough Violence and Exploitation*, 2008, p 127

71. The National Commission for Lebanese Women, *Third Official Report on the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*, 2006, p 42 and subsequent pages

that results from discrimination vary between one woman and another in Jordan. The social and family conditions as well as the cultural and personal factors of women play a role in these areas. A respondent who works for a women's organization said, "Islam has given women the right to inheritance; however, not every women obtains such right. It is preferred to educate boys to girls. These issues exist; they vary from one household to another and from one community to another." Discrimination against women is found at the workplace in the public and private sectors. However, it is less obvious in the public sector, according to one of the respondents who said, "[the public sector] is controlled by rules and regulations. Working with the government is more stable." Another respondent from a women's organization said that the public sector is a better employer of women than the private sector; however, women are discriminated against in training and in decision making positions.

She said, "Women cannot be fired by people in charge once they are recruited to the public sector. But they are discriminated against in training. Women are sent to retirement before they reach the decision making levels." The private sector, according to respondents, is more discriminatory than the public sector. "Jobs, salaries, and promotions at the private sector are subject to the temperamental standards of the boss." The private sector is focused on profits and productivity, said an employee in a financing company. He said, "[The private sector] focuses on investment. Women are more productive than men and less of troublemakers. No discrimination in salary, which is based on experience. As they climb the job hierarchy, women suffer more discrimination and their opportunities are reduced."

Participants in the focus groups presented stories about their experiences. One of the participants said that women contributed to discrimination against women. For instance, women deprive themselves of inheritance because they commonly believe, through mothers, that inheritance is for men, not women, which is against Shari'a and law. Women in this case do not want to upset their mothers. A participant said that women are discriminated against in job opportunities since women are restricted to the socially accepted jobs. She said, "Women's jobs are limited due to family and society's perspectives. Families influence women's choice of jobs." Another participant said, "Women fully enjoy their rights." A male participant who is a university student said, "The discrimination is in favor of women. Employers at commercial stores prefer to employ women in order to attract customers."

1.3.2.2. Tunisia

Among the most prominent statements of the respondents, especially respondents in rural areas, are those on wage discrimination between men and women. Munira from Zaghouan governorate in Tunisia said, "A man's daily wage in farming is 10 to 12 dinars (approximately \$7) whereas a woman's daily wage is 7 dinars though we do the same work. This is unfair." Hafitha from Nabeul governorate in Tunisia said, "Before the revolution and registration of farming laborers, I used to get 140 dinars (approximately \$90) a month whereas a male farming laborer would get 250 dinars. We worked under harsh conditions and did not have paid holidays. Now things are better. Men and women get equal pay."

Some respondents spoke of the difficulties women face in integrating in sectors that are traditionally considered men's sectors such engineering. Unemployed respondents spoke of discrimination against them due to traditional roles defined by the society and the professional culture that prefers men to women in specific jobs. Sumaya, an unemployed lady from Kasserine governorate in Tunisia said, "Women have the capacities to prove themselves. However, there are many obstacles in their way. I am majored in architecture, which makes me face major difficulties since my major is considered men's major. My job applications are often refused because I am a female architect who is considered unable to be in the field and lead groups of male laborers." Samah, an activist at Hajib Al Oyooun Youth Society from Kairouan governorate in Tunisia had a similar problem, which stopped her from starting a business. Now she believes that, "Regardless of improvements to women's situations, there will always be a difference between men and women."

When I chose biology as a major at university, professors did not easily accept that since they thought that girls cannot work in rundown neighborhoods." Muna an activist at the Employment and Solidarity Youth Society from Gabès governorate in Tunisia also faced a similar problem. She said, "When the Ministry of Interior announced job vacancies, women were not selected. This confirms that women are still discriminated against. I feel very bad about that. I don't think that men are more qualified than women and we have our educational degrees to prove it."

Kamal, an activist at the Basic Liberties Society in Tataouine governorate said, "The problem is with the economic establishments that are influenced by the professional culture that does not believe in equality between men and women. A person in charge would apply the social values that are outside the establishment; they do not necessarily serve women." Male respondents blamed discrimination against women in economic integration on social and cultural factors. They did not recognize the violations of rights or demanded their elimination. Hence, culture becomes an excuse used by social groups, especially men, to justify discrimination against women in economic areas.

1.3.2.3. Lebanon

Respondents agreed that there was no equality between men and women in all walks of life. A respondent said, "Look around to see the difference. When my husband hit me, I threatened him saying that I would file a complaint. He said that he would humiliate me and my family at courts." The respondents said that women do not enjoy rights like men. However, respondents agree that men and women are unfairly treated at work, which forces the youth to migrate. Respondents also spoke of discrimination at the public and private sectors. Female respondents talked about discrimination in employment. Women have better chances of employment at the private sector since they work longer hours in return for smaller salaries at small businesses such as the clothes stores. As for the public sector, "There is no discrimination in salaries and wages since the law applies to all; however, promotions are more open to men than women." Respondents from senior citizens said, "Men are always in leading positions because the views of the society towards women affect the development of women's work who become distracted under these conditions.

Besides, considering home as a better place for women reduces their capacities. Consequently, small numbers of women reach leading positions. Most of the women who manage to reach high positions are unmarried, and if married, their children are losers." Service providers said, "Women are always in middle or lower positions whereas men are always in middle and upper positions. That's why men are in leading positions. Women's reaching leading positions relies on the temperament and exceptional decisions of the employer."

2. Contradictions and points of discrimination

2.1. Regional level

There are laws that still consider women "underage" regardless of their education, social, professional, political, or institutional status or income or even age. This creates contradiction, or even conflict within the national legal and legislative systems including the constitution, which could comprise contradictory articles, or contradicts with other laws –especially the laws that regulate public life and define the rights of education, health, employment, social, economic, and political rights – or contradictions between the national legal and legislative systems and international commitments and controls. Most countries have made progress in enhancing women's legal status through reforming laws and drafting policies. However, there are still contradictions in legislations and major gaps between the laws and their applications and between the various laws and policies that had been drafted to eliminate individual or institutional discrimination against women and achieve equality. Constitutions prohibit the discrimination that is based on race, religion, etc., but they do not include the discrimination that is based on sex such as the case of the suspended Tunisian constitution and

in the United Arab Emirates. The language used in Arab constitutions is not gender-sensitive thus they do not use feminine [grammatical rules] when they address people or citizens.

The family laws supersede other laws, and constitutions, in a number of countries in the region. Some constitutions comprise articles that cancel the equality principle stipulated by another article to give precedence to measures that strengthen discrimination between men and women. Some constitutions discriminate between women of different sects such as the case of Lebanon, which has 15 personal status laws serving 18 sects. Personal status laws vary among tribes such as the case of Iraq. Article 41 of the Iraqi constitution stipulates that, "Iraqis are free to decide with respect to their personal statuses according to their religions or doctrines or beliefs or choices. This would be regulated through a law." This article leaves the door open for violating women's rights in the name of religion and traditions and beliefs. The article contradicts Article 14 of the same constitution, which stipulates that Iraqis are equal before the law regardless of their sex, ethnicity, nationality, origin, color, religion, doctrine, or belief. Some countries are also aware that they do not have laws regulating inheritance, marriage, liberties, etc., but they do not take any initiatives to fill this void.

In fact, the shortcomings in achieving women's human and legal rights continue due to the contradictions resulting from applying the three legal systems, including the constitution, regular laws, and traditional rules and religious laws. The different doctrines of the countries of the Middle East and North Africa and the Arab Gulf make the countries subject to double standards of applying laws that is subject to contexts and conditions and personal interpretations. This has led to the failure of reforms in the personal status laws, which are supposed to protect the members of the households, including women from discrimination. There are courts in some countries that follow customary laws and regular laws at the same time.

2.2. Country level

The achievements made by the countries included in the study for the benefit of women include drafting new laws or introducing amendments to existing laws to reduce gaps of discrimination and achieve equality. The most prominent achievements include:

- Access and control of a number of resources; freedom of movement (without having to obtain permission from the husband or male guardian); family planning through canceling the provisions that punished using family planning methods; starting a business without the husband's permission; a mother can open a credit account for her underage son; equal inheritance among Christian sects.
- The right to give nationality to the husband and children despite the contradictions in the equality principle such as the women's right to choose nationality after marriage.
- Eliminate discrimination or integrate procedures such as the case of retirement age of men and women in the social security laws; acknowledging women's capacity to testify at property registration offices and married women's capacity to have life insurance; the right of a female employee who works with a diplomatic mission and marries a foreign person to continue her job.
- Amend the penal codes especially the articles that contain lenient sentences in favor of those who commit honor killing or harming.
- The procedures taken to enhance women's political and economic participation and participation in other areas.

If these procedures lead to important change and positive developments in women's situation, there are still contradictions between national laws and countries' international commitments as well as the discriminatory elements of the laws that violate human rights. Another difficulty is presented in the actual implementation of protection and equality.

Moreover, there are issues that are still being debated such as the inequality between men and women in the implementation of laws, including criminal investigation and sentencing. Other inequality issues include nationality. The penal code provisions concerning honor killing are also discriminatory since some countries have lenient sentencing for the perpetrators of such crimes; in Tunisia for example, a rapist may marry his victim and get away with his crime.

2.2.1. Constitution

In Tunisia, the constitution is suspended. Tunisia is undergoing an interim period of institution building and of establishing a new republican system. An interim Constituent Assembly was elected to draft a new constitution. However, the current period is void of constitution; it is also unclear with respect to the viewpoints of the Constituent Assembly regarding issues related to women's rights and achievements. There are also concerns about the future of such achievements. The Lebanese constitution lacks an article that clearly calls for eliminating sex and gender-based discrimination. It also strengthens discrimination through empowering the sects to create laws that contradict the principle of constitutional equality. Equality is not just words. It must be applied through laws and women's enjoyment of their legal rights and to practice such rights without being discriminated against. National laws must be consistent with the constitution of Lebanon and its international obligations. Equality must be put into action, which is something Lebanon lacks. Lebanon needs to eliminate discrimination and express its international obligations in its constitution.

2.2.2. Nationality law

The Nationality Law number 6 of 1954 in Jordan and the Nationality Law number 10 in Lebanon control the right to having a nationality. Women and mothers do not have the right to give their Jordanian or Lebanese nationalities to their children. This is also the case of many other Arab countries. Nationality in Lebanon and Jordan is inherited through the father, or come through birth. A woman married to a foreigner may not give her nationality to her children, whereas men do. The review of the nationality laws confirms the impact of such laws on women's wellbeing especially in the events of death of the husband or divorce and on children's rights to education and health services.

2.2.3. Personal status law

The personal status laws are the most important laws for Arab women since they are connected to their day-to-day life. Based on the development indicators of women's human rights, most Arab women are house makers. They are mainly affected by the personal status laws, which regulate their life at home. Personal status laws also affect other laws and women's rights at work and in public life. The many laws and regulations that are as many as religions and sects in the region constitute factors that strengthen discrimination against women such as the case of Jordan and Palestine (Palestine follows the laws of two different countries) and Lebanon, which has 15 personal status laws for 18 sects. This situation calls for holding on to customs and traditions of each sect or doctrine and distancing the chances of equality between men and women. It also strengthens discrimination between men and women and women themselves.

In Palestine, Muslim women are subject to the Jordanian personal status law of 1976, which is originally based on the personal status laws of 1917 and 1951 (the law is based on the Hanafi doctrine). Christian sects, on the other hand, have their own laws such as the personal status law of the Christian orthodox and the orthodox patriarchate personal status law number 32 of 1941. The Latin sects are subject to the personal status law of the Jerusalem Latin Patriarchate. The Coptic sect applies the personal status law of the Coptic Orthodox of 1938.

In Lebanon, Articles 9 and 10 of the constitution ensure spiritual independence of households to run personal status issues. This allows for creating provisions for households under the sponsorship

of religious sects. Consequently, women in Lebanon are subjected to their specific sect's personal status laws, which discriminate against women in rights and duties. The discrimination is also between the citizens since they are treated in accordance with the beliefs of their respective sects; they must be affiliated with a sect. The sects also have their own courts. The multi-sect system of Lebanon affects women's public life since there are 15 personal status laws to influence their personal life as well as the courts that deal with family and personal issues.

As for women's human and legal rights in the public and private life, we must examine the general context and legal framework, which are supposed to protect the women's economic rights; also to diagnose areas of discrimination and violations. Moreover, the discriminatory personal status laws are linked to other laws such as the nationality law. Women in Jordan and Lebanon face many problems due to such discrimination especially in the cases of divorce. The personal status laws give women the right of custody of children until they become adults; however, the children's rights to education and travel remain dependent on their mothers' nationality, which cannot be given to them. The right of mothers to give their children their nationalities remains on the top of the lists of demands of the civil society organizations in Lebanon, but to no avail, since the issue is politicized and weighed at the level of the Middle East problem.

In Tunisia, despite the modern nature of the Personal Status Act, it comprises discriminatory elements against women. Articles 3, 12, and 13 stipulate that the dowry is a condition of a valid marriage, which indirectly makes marriage a paid for relation. This is insulting to women since marriage should be based on mutual consent rather than an amount of money agreed by two families. Despite approving the duty of equal cooperation between men and women and removing the wife only "obedience" obligation in order to achieve more balanced family relation in rights and duties, the reservation of the household head tradition strengthens the gender discrimination that is based on stereotyped man and woman roles. The claim to head of household is based on the "breadwinning" role, which is the man's role according to Article 23. This leads to discrimination between men and women. Moreover, the final part of the Act strengthens more discrimination concerning inheritance. Women in principle inherit less than men though they play the role of the breadwinner or support that role. This constitutes an obstacle that prevents women from achieving the resources that would enable them to become financially independent.

2.2.4. Penal code

The Jordanian Penal Code comprises articles that embody lenient penalties against crimes of honor killing. Such leniency applies to a perpetrator of an honor killing who catches the victim red-handed in an illegitimate sexual relation and the victim is a blood relation of the perpetrator (Article 340 of the Jordanian Penal Code). Article 98 comprises a lenient sentence against a perpetrator of honor killing when such perpetrator commits the crime while in extreme wrath and the victim is a member of the perpetrator's family. Families may use their right to appeal the court decision and request leniency, and the court may reduce the sentence by half based on leniency aspects stipulated by article 99 and 100 of the Penal Code. The articles do not mention private rights, and the courts use wide range of interpretations to find loopholes to reduce penalties in this area. Apparently, the presence of these articles and their leniencies in the heart of the Jordanian Penal Code are behind the consistency of honor killing since Jordan has 25 cases of honor killing every year.

The Lebanese Penal Code is based on gender and on distribution of roles and authority between men and women at home and within the society. The concepts and penalties of this code strengthen discrimination and inequality between men and women as well as violence against women. This can be seen in handling some cases such as adultery, marital rape, prostitution, and honor crimes, which usually have economic motives such as inheritance.

3. Challenges

The challenges facing the region as a whole or the countries included in the study with respect to the changes that are taking place can be summarized in the following:

- The achievements in the area of equality need implementation
- The achievements in the area of equality are hindered by the contradicting laws and practices as well as lack of capacities and services
- Limited rights due to lack of awareness about rights
- Contradictions between the situation on the ground in the countries and international obligations
- The achievements in the area of equality are threatened by an uncertain future

Upon inspection of the enforcement of laws at similar legal situations, one can see how the Arab personal status laws, which apply to Muslims and non-Muslims, strengthen discrimination between men and women and make such discrimination legal and legitimate. The cultural and individual beliefs and practices impede women's progress and always pull them back and deprive them of progressive laws that would defend their human rights and enhance their legal status. The cultural and individual beliefs and practices are often used as excuses to hinder advancement and progress of women only. In addition to the contradictions and conflicts, there are challenges facing the use of existing laws due to the weakness of the justice systems of the countries. The services provided by the justice systems suffer shortcomings since they are limited and distanced from the public. This has negative impact on the ability, especially among women, to access the justice system. The obstacles in this area include administrative procedures that take a long time to process, and lack of financing that prevents implementation of programs, and capacity building especially in human rights and women's national and international rights.

People are obviously aware of the weakness in the enforcement of the existing laws. The existing laws are even undermined and under published; they are not sufficiently known to the relevant professional people, community, and women. This has negative effect on the ability to ensure achievement of human rights in general. It also limits women's performance of their roles and ability to demand their rights. It also constitutes an obstacle in the face of the individuals and societies and institutions that seek the protection of the laws in order to carry out their duties and responsibilities. The biggest challenge facing the region is to stop the "Arab Spring" from becoming a blizzard that would threaten democracy and the rights of the Arab women. There are many criticisms directed against the region; most importantly against the deep-rooted patriarchal traditions that restrict women. Moreover, the women's rights agenda is still connected to the previous oppressive regimes of the region. For instance, Egypt's ex-first lady headed the national council for Egyptian women and the ex-first lady of Tunisia was the president of the Arab women organization. Having Islamic political parties in the governments is also a major challenge and threat, according to civil society organizations, since they reject the women's laws on religious grounds.

Despite the achievements of Arab women, the Islamic political parties (in Tunisia, Egypt, Libya, Morocco, and Yemen) reject women's human rights altogether as sacrilegious, and they consider women's achievements as outcomes of the previous tyrant regimes that aim to ruin the families and communities. These achievements are also rejected in other countries and considered violations of the Arab and Islamic culture and identity. The fight against the women's achievements is even considered as part of the fight against the West, which is befriended in other issues, but not in issues related to women. Moreover, the obvious and important role of women in the Arab revolutions is not a guarantee for women to transform such role into an access to long-term economic, social, and political achievements.

III. POLICIES, PROGRAMS, AND STRATEGIES IN THEIR SPECIFIC CONTEXT

This section focuses on monitoring policies, programs, and strategies in the national context, which aim or contribute to economic empowerment of women. The section also focuses on the other initiatives taken by the states, including financing and national budgets, and their direct and indirect impact on women's comprehensive empowerment and gender-based equality. The achievements and obstacles will also be focused on with reference to the obligations, action plans, and relevant international agreements signed by the states. A number of examples will be used. They are taken from the whole region, including the countries included in the study. The national reports, however, include all details about policies, programs, and strategies.

1. Achievements

1.1. Policies and strategies

The achievements would not have been possible without the efforts of the women's societies and the human rights organizations as well as the political will and official standpoints. For instance, the high political command in Jordan established the Royal Commission for Human Rights confirming that "liberty and human rights are sacred rights and no person regardless of his/her position may tarnish the image of the homeland [Jordan] or its reputation by violating any of such rights regardless of the pretexts." Based on the objectives and programs of the Commission, the international agreements on human rights, signed by Jordan and submitted to the Jordanian parliament for approval, were reviewed. The Commission also reviewed the legislations that violate human rights and provided recommendations about them.

As for government standpoints and public policies, the most prominent development in Lebanon was that the ministerial declarations of two consecutive coalition governments included, for the first time in the history of Lebanon, confirmation to "fulfill the promises Lebanon made to the Fourth World Conference on Women, Beijing 1995" as revealed by the first coalition government in 2006. The second coalition government of 2008 confirmed that it would continue to "work to enhance women's public role and participation in financial, economic, social, and political areas." The government also promised to "fulfill Lebanon's promises towards international agreements signed by the country, especially the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which requires taking action to ensure equality between men and women." The government's declaration also confirmed that "it was necessary to activate the national commission for women's affairs to conduct its role." However, we hope that the programs of the Lebanese government would fulfill the women's needs and ensure their effective and equal participation in development. Such programs should set up strategies, initiatives, and policies to ensure gender equality and avoid any forms of discrimination and violence against women.

Arab countries joined the International Conference on Population and Development (ICPD), which was held in Cairo in 1994. The agenda of the conference was supported by the United Nations and member states. ICPD succeeded in securing the consensus of the international community over four qualitative and quantitative objectives with special significance in reproductive health, including (1) Meet the needs of family planning; (2) Ensure mother's health and reduce infant mortality rates; (3) Prevention against sexually transmitted diseases and HIV; and (4) Eliminate traditional practices, such as female circumcision, that harm women's health and wellbeing. ICPD supports a new strategy linking population, development, and gender. The strategy focuses on meeting individuals' needs instead of focusing on realizing demographic

objectives. The key to this new approach is equality and justice between men and women, women's empowerment, and providing women with more opportunities of education, health services, skills, and jobs. The agenda of ICPD calls for international access to family planning means by 2015 or before that date.

The countries that boycotted ICPD adopted its 20-year long program. Consequently, countries set up demographic policies and strategies on family planning, reduction of mortality rates among mothers and children, HIV prevention, etc. based on the ICPD 1994 program. These demographic policies and strategies were planned in cooperation with government agencies involved in health, women affairs, planning, reproductive health, and youth, etc. as well as civil society organizations (family planning, women's organizations, and development societies) in some countries. The policies and strategies cover women's needs in reproductive and sex health by adopting the definitions of health and gender and rights perspectives of ICPD. Many countries like Tunisia, Lebanon, Palestine and Jordan, have made progress in these areas.

The statement of the Fourth World Conference on Women, Beijing 1995, defines twelve areas to enhance women's conditions and empower them to achieve their human rights. The declaration of Beijing conference is not legally binding. However, most countries of the world develop their policies, programs, services, and concepts in accordance with the statement of the Conference. Hence, national and sector strategies to enhance women's conditions, integration in development, and empowerment to achieve rights in Algeria, Djibouti, Egypt, Jordan, Lebanon, Morocco, Oman, Palestine, Qatar, United Arab Emirates, and other countries have been set up in line with Beijing Conference. However, the implementation of the strategies has not been completed for lack of support, including financial support.

Moreover, many Arab countries seek to develop comprehensive approaches to analyze differences between men and women from a gender perspective to be integrated in the policies, strategic planning, and monitoring and evaluation. Countries like Morocco, Algeria, Jordan, Yemen, Egypt, and Syria have developed strategies for gender integration. Other countries like Tunisia, Lebanon, Palestine, and Iraq have reviewed their women's strategies from a gender perspective. There are also countries that use gender diagnosis in reviewing their policies and socio-economic plans and programs such as Morocco, Jordan, Palestine, Yemen, and Tunisia. Morocco and Egypt are reviewing their budgets in order to make them gender sensitive using diverse approaches. Progress in these areas varies from one country to another. Jordan and Yemen review the poverty reduction strategy by analyzing the plans and budgets of specific sectors such as education, health, planning, agriculture, etc. The Inter-Ministerial Committee for the Advancement of Women⁽⁷²⁾ in Palestine confirms that it is important to have an emergency plan; however, the plan would not be sufficient if it does not take gender into account. Steps have been taken to deal with inequality between men and women from a gender perspective by creating strategies to enhance women's conditions (including rural women), enhance youth and household conditions, combat poverty, enhance political and social development, and develop rural areas.

Countries like Morocco, Algeria, Tunisia, Iraq, and Palestine have developed mechanisms (national strategies) to combat violence against women from a gender perspective. Other countries like Bahrain and Lebanon developed national action plans for the same purpose. Morocco, Algeria, Tunisia, Jordan, and Lebanon developed sector plans within the frameworks of national strategies for the same purpose. Some countries also focus on specific areas such as developing specific strategies – the National Strategy against Human Trafficking of 2010 in Jordan, as an example.

72. IMCAW

1.2. Programs and sector interventions

Women's societies have developed programs and projects to raise awareness among women and the whole society with respect to women's legal and human rights, including the rights to education, family planning, political participation, and inheritance. The societies also provided training in self-empowerment skills, political participation, family planning, literacy, reproductive health, and legal knowledge.

Steps have also been taken to advocate change concerning ending oppression and discrimination and violence against women in private and public lives. Alliances were established among government agencies and non-government organizations, professional organizations, media outlets, and trade unions to amend the family laws in Morocco and Algeria; integrate sexual harassment in the Algerian penal code; criminalize honor killing of women and combat lenient sentences of such killing in Jordan; and amend the nationality law in Lebanon. The purposes of the alliances include other areas of women's rights and conditions.

The joint efforts of the civil society, parliaments, men of religion, and media strengthened the existing projects that deal with gender-based violence from a wider perspective (considering gender-based violence as a public health issue, a component or reproductive health, and a number one violation of human rights). These efforts deal also with domestic violence in Morocco, Algeria, Tunisia, Jordan, Palestine, Bahrain, and Lebanon and harmful practices such as female circumcision, which threatens the health and lives of millions of girls in Egypt, Sudan, Djibouti, Somalia, Mauritania, Yemen, and Oman. The efforts also deal with violence against women in the society, rape, sexual harassment, human trafficking, violence during detention (Yemen and other countries), the violence that the state ignores (Algeria⁽⁷³⁾), and violence at times of armed conflicts in Iraq, Lebanon, Palestine, and Sudan.

The awareness programs aim to prevent discrimination as well as inform about available services to the women who were discriminated against. Countries like Morocco, Algeria, Egypt, Tunisia, Jordan, Lebanon, and Palestine have set up training programs for police officers, health and reproductive health officers, and other stakeholders to activate laws and new amendments concerning women's rights. Countries also provide integration services, psychological advice, and shelter (Morocco, Algeria, Jordan, Egypt, Palestine, Bahrain, Lebanon, Syria, and Qatar) through civil society organizations or government agencies or jointly.

Other important efforts include conducting surveys on violence against women in Morocco, Algeria, Egypt, Palestine, Tunisia, Syria, and Iraq. These surveys are underway in Lebanon and Jordan. The surveys will help create monitoring and evaluation systems for violence against women (the process is ongoing in Morocco and Algeria). Arab countries are starting to develop an evaluation culture and integrate it in creating indicators for situation analysis, strategic planning and international cooperation programs such as the programs supported by the United Nations and other international organizations.

2. Challenges

The relevant initiatives, policies, and strategies of the countries have succeeded due to the efforts and hard work of the civil society organizations in raising awareness and calling for change; as well as the efforts of international organizations and countries' participation in international activities on women. Countries have started at least gradually to adhere to participating in international and regional women's conferences and follow up meetings when implementing their

73. Such as the national civil reconciliation convention in Algeria: Giving amnesty to armed groups thus ending any legal pursuit against them is, according to international standards, a form of gender-based violence by the state

plans and prepare relevant reports. They also consider adapting the countries' situations with their international obligations to agreements and women's rights.

Women have long suffered in the traditional communities of patriarchal nature, which is the case of all countries in the region, from the social and cultural factors that limit their capacities and role in the society and thus hinder their development in the community and at home, their education, and employment. It has also affected fertility and women's social and cultural and economic participation.

Illiterate or educated women suffer alike from lack of enforcement of laws and relevant agreements as well as lack of implementation of programs that would positively influence women's legal and socio-economic situation.

The initiatives to improve the situation have achieved little success due to, among other reasons, being contradictory in nature since they give priority to the reproductive roles and tasks of women and neglect their needs and rights within the household. The preparation of this report helped define issues at different levels. The issues need to be dealt with based on the evidences provided by the study include:

1. Lack of regular evaluation of the situation of women's human and legal rights (implementation and compliance) in order to define the extent of achievement of equality and reduction of discrimination and gaps.
2. Lack of knowledge among officials (CEDAW committee remarks) and country's place in international reports. Most of the reports are built on gender indicators (UNDP's Human Development Reports, Global Gender Gap Reports of the World Economic Forum, and relevant World Bank reports).
3. Taking procedures and arrangements based on the remarks and recommendations and translate them into national reforms, mechanisms, policies, and strategies.

Countries have taken positive actions seeking change; however, they still need to translate their commitments into tangible measurable outcomes in policies and legislations to enhance equality and eliminate discrimination. This will be hard if not impossible because:

- Women's issues and gender are restricted to a specific sector, institution, or organization like a "ghetto".
- Women's issues, equality, gender gaps, and discrimination based on sex are not integrated in the state's priorities.
- Gender is not integrated in the state's policies, development plans, and public budget to ensure compliance and accountability of all sectors with respect to achieving the desired outcomes.
- Lack of physical, financial, and human resources, which means that relevant policies and strategies remain on shelves collecting dust.

IV. NATIONAL MECHANISMS AND INSTITUTIONS

1. Achievements

Most Arab countries set up mechanisms and institutions, within the implementation of the Beijing platform for action, to activate the international recommendations and national obligations concerning institutionalizing gender to achieve equality and eliminate all forms of discrimination and realize development objectives. The institutional support to women's issues and gender in the region can be summarized in the following:

- Legal frameworks: There are shortcomings and conflicting national legislations. There are also conflicts between national legislations and international agreements signed by the countries (see the legal framework in part one).
- Adopting the plans and programs of international conferences (Copenhagen, Cairo, Beijing, Vienna, and the Millennium Conference) and translating them into national policies and programs (see the policies and programs framework of part one).
- Some countries have come up with positive arrangements recognizing social and historic injustices and biases against women. This is done based on the different plans and programs and procedures to encourage and enhance women's representation in the decision making process, including the election quota in Morocco, Jordan, Tunisia, Iraq, Algeria. Morocco gives grants to political parties to encourage women's representation in their election lists.
- Women occupy senior public offices such as ministers of agriculture, planning in Syria and Tunisia, and social affairs in Lebanon.
- After the Beijing Conference in 1995, women's mechanisms⁽⁷⁴⁾ were established with diverse legal and administrative positions at government or quasi-government agencies. This was conducted through integrating non-governmental organizations in their membership. Thus creating commissions, committees, and councils⁽⁷⁵⁾ such as the case of Jordan, Lebanon, Egypt, Syria ... and ministries such as the case of Tunisia, Palestine, Iraq, and Algeria. These ministries also handle issues related households, childhood, senior citizens, and handicapped persons. Some countries have special ministries for women affairs like in Morocco.
- Some ministries are clearly mandated to handle women's affairs in some countries such as Tunisia, Algeria, Djibouti, Palestine, and Morocco. Other countries have different names and tasks for such ministries based on the government and the governing parties. Some countries allocate women's affairs to other ministries such as the Ministry of National Solidarity in Morocco. Some countries have women's affairs ministries as well as other official agencies handling women's affairs such as the national commission for Lebanese Women and the Jordanian National Commission for Women, the Ministry of Social Affairs in Lebanon and Ministry of Planning in Jordan. The task would be divided between two competing agencies with impact on change and effectiveness.
- These agencies have something in common, which is lack of capacities and lack of financial resources as well as lack of mandates.
- Most countries have appointed communication officers, focus points, or gender coordination centers⁽⁷⁶⁾ (different names but similar tasks). These units are usually headed by women. They include national institutions and ministries handling women's issues from the perspective of women's integration in development taking into consideration women's traditional role in the household and moving on to the gender perspective of development based on equality and removal of all forms of discrimination.

74. Women National Machinery/ WNM

75. Commission, Committee, Council...

76. Gender Focal Points/ GFPs

2. Challenges

It is necessary to direct attention towards the most important obstacles and challenges that could hinder the process of institutionalizing gender, which should systematically and effectively contribute to reducing gaps by removing discrimination in order to achieve equality. This would be through referring to the lessons learnt from the Arab region and the rest of the world. In fact, these challenges and obstacles are those which women agencies suffer from in the rest of the world. However, they are severer and more frequent in the Arab region.

2.1. Misunderstanding of concepts

A common problem that can be considered fundamental is that the concept of gender is unclear or can be understood to mean only women and that the work on gender is restricted to associations. Many also believe that the integration of the gender perspective is to appoint women in positions rather than changing viewpoints.

2.2. Mainstreaming gender - a difficult task

In many cases, the responsibility for mainstreaming the gender perspective and achieving equality is left to one structure (a ministry or similar agency) that lacks any authority over other sectors. Also, there would be no specific tasks or means or resources. There is also lack of power or authority in a government where each sector says that it has its own priorities. This also applies to the roles and responsibilities of the gender communications officer.

2.3. Insufficient technical capacities

The design and implementation of a plan on capacity building and training and monitoring in the area of integration, and circulation of the gender perspective, or how to sufficiently apply it in policies and programs constitute the most important obstacles facing the services providers. The main reasons for these obstacles are that most stakeholders who are recruited to conduct gender based analyses are inexperienced and lack sufficient knowledge in the field. They also lack the capacity to solve issues. Hence, they start learning through experience in most cases, but this could be difficult especially when experience is limited. Noticeably, no Arab country has institutionalized training or interventions for capacity building that is integrated in the national or sector plan. Moreover, agencies usually lack budgets allocated for training. If such budget existed, it would be used for other staff training programs rather than on gender approach training and how to apply it.

2.4. Lack of resources

Obviously, the gender communication officers do not receive sufficient financial and physical resources; they do not control them; and they do not have the power and decision making authority over them. They do not obtain the information they need of sector plans; they are not usually invited to decision making sessions even if that would have direct or indirect impact on their work.

**National Legislations, Policies, and Mechanisms of Impact on
Women's Economic Empowerment In the Arab Region**

Case study in

Jordan, Lebanon, Palestine, and Tunisia

Part Two:

**The Context of Economic
Rights, Women's
Empowerment, and Equality**

Part Two: The Context of Economic Rights, Women's Empowerment, and Equality

The general context of women's economic rights is reflected in the legal and judicial frameworks of a country, its legal rules and procedures and the state's legislative and general public policies which in their entirety inform on the extent to which women enjoy legal protection. Policies, programs, and strategies of a country are key to empowering women economically and to achieve equality with men. These are implemented through national mechanisms and national institutions and through meeting obligations that ensue from countries becoming party to international agreements that advance women's economic rights.

The use of the term "economic empowerment of women" needs to be based on a broad understanding of its underlying concept, since the participation of women in economic activities or the labor market alone does not necessarily result in equality with men.

In this study, the definition of economic empowerment of women which will be used is the one adopted by the partners of the Regional Economic Empowerment of Women Project: "The ability of women to access and take control of resources and to take informed decisions and choices to advance changes at the personal, household, societal, and national levels." The definition applies regardless to the workplace of women, be it in the public or the private sector, or independently as entrepreneurs.

I. INDICATORS ON WOMEN'S EMPOWERMENT; EQUALITY IN OPPORTUNITIES FOR DEVELOPMENT AND ECONOMIC PARTICIPATION

The human development index captures the average loss that results from a situation of inequality between men and women with a general threshold of 5.20 percent on a global level. In Arab countries, the related value is 4.26. The index reflects gender inequality in three vital areas of life which are reproductive health, empowerment, and economic activity. Reproductive health is measured by the maternal mortality rates and teen birth rates. Empowerment is measured by the relative distribution of parliamentary seats between men and women, and by tertiary education achievements for men and women. Economic activity is measured by the rate of participation in the labor market for men and women respectively. The inequality index between men and women also captures the loss in the level of human development as a result of a situation of inequality on the basis of achievements made by men and women. Again, this loss is captured in the same vital areas of life: reproductive health, empowerment, and economic activity. The Arab Region Report 2007⁽⁷⁸⁾ which monitors the process of achieving the Millennium Development Goals, women only hold 8.7 percent of parliamentary seats (April 2007), which is worldwide lowest percent. The military occupation of Palestine and Iraq and some areas of the Lebanese and Syrian territories have contributed to rising poverty rates and hinder the development process because of the additional limitations on development opportunities for women and on achievement of equality between and women.

Following the publication of the Global Gender Gap Report in 2009 translator and journalist Meris Lutz, who works in Beirut, argued that the issue of women's rights in the Middle East and North Africa was debatable as "The media coverage of honor killing, underage marriage and inequality between men and women is met by religious conservatism, and feminine activists adulating the West and provoking regional reactions."

78. No change to the Millennium Development Goals in the Arab Region reports for the years following 2007 until the time of writing this report.

The Global Gender Gap Report published at the end of October 2009 by the World Economic Forum, describes reality of gender inequality in a more accurate way. The report classifies countries in accordance with women's economic participation, education, health, and political empowerment.

In Arab Gulf states such as Kuwait, the United Arab Emirates, Bahrain, and Qatar, which are socially conservative and whose legislations are based on Islamic Shari'a, the rates of women in tertiary education are higher than those of men even though women are not fully integrated into the labor market. On the other hand, Syria dropped in the global classification over the past three years. In the same year [2009], the Kingdom of Saudi Arabia and Egypt occupied the bottom of the list despite the improvements of 2006. Yemen has occupied the bottom of the list for the past four years.

Despite the signs of hope, women in the region lead fiercer battles compared to other women in the world. The efforts undertaken by most countries in the Middle East and North Africa are at a much lower level than the average global efforts to improve the situation of women. In the past year, countries of this region had no improvements to show. On the contrary, the situation of women deteriorated, according to the Global Gender Gap Report. Bahrain, Algeria, Morocco, Egypt, and Saudi Arabia registered improvements in their classifications compared to 2008. Kuwait obtained the highest place in the region (45 and 105, respectively), followed by Tunisia, the United Arab Emirates, and Jordan. It is important to point out that many of the countries included in the report since 2006 show improvements over the past four years despite the drop in their overall classification. This means that some achievement was made with regards to the situation of women in the region even if these achievements are brought about at a slower pace when compared to the rest of the world. It is worth noting also that the classification of a country is affected by the overall number of countries included in the report and which rose from 115 in 2006 to 134 in 2009.

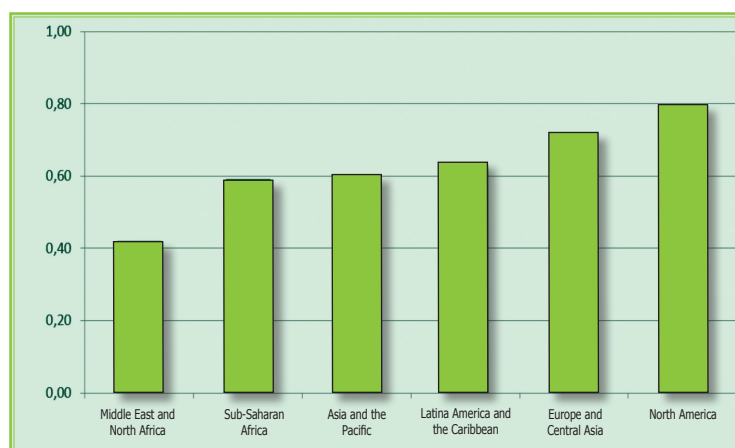
The report concludes that countries that do not fully benefit from half of their human resources weaken their competitive capacities. The co-author of the study and senior director and head of constituents of the World Economic Forum Saadia Zahidi said, "We hope to focus attention on economic incentives behind women's empowerment and strengthening equality as a basic human right⁽⁷⁹⁾" In 2010 and 2011 outcomes did not change, only classifications did. The United Arab Emirates occupied the first place at the regional level in 2010 and maintained its place in 2011.

Though the available data lack accuracy, they are highly indicative and show the fluctuating progress in the indexes of women's empowerment and equality between men and women. Key outcomes related to improvements made in the situation of women in the Middle East and North Africa can be summarized as follows:

- Poverty restricts women's empowerment more than it restricts men. Poverty affects women's education, health, access to opportunities to improve economic status, participation in decision making, and their ability to come into the full enjoyment of their human rights.
- Women lack empowerment to acquire capacities and to enjoy economic, social, and political rights.
- Wars and conflicts directly and indirectly affect the lives and the general situation of women, including participation.
- By the end of 2010 and beginning of 2011, the demands for reforms and for democracy were accompanied by political upheavals that influenced economic development and social stability in the region.

79. Taken from Meris Lutz

Regional Performance, sub-indicator on Participation and Economic Opportunities⁽⁸⁰⁾



The political transformation process which saw its beginning in Tunisia and has since spread in the region has given hope to all those who participated in the movements for change – men and women and youth – to a more just and democratic society, where a life in dignity with a full enjoyment of human rights would be possible. Whether this hope will materialize, and whether it will bring about more favorable conditions and economic empowerment for women in Tunisia, Egypt, Yemen, Libya, Syria, Iraq, and Morocco, remains to be answered in the course of time.

1. Situation of women's economic participation

This topic will be discussed through a number of components that will contribute to explaining it from different perspectives according to available data and analyses, including poverty (giving poverty a feminine name and combating poverty); women and economic activity with focus on its general characteristics; the public and private sectors and the so-called third sector (civic society organizations in the countries included in the study as examples).

1.1. Arab women and poverty

1.1.1. Regional level

The year 2009 had significant impact on the most impoverished countries in the world. The global economic crisis caused more than 50 million people to fall into extreme poverty, especially women and children. When economic crises hit, social protection becomes threatened and mothers, infants and children become even more vulnerable. This requires taking measures to protect women and their children guided by lessons learnt from previous economic crises at the country, regional and international levels. Going through economic crisis does not free countries from their obligations to meet the basic needs of the vulnerable and the most impoverished. It rather commits countries to raising the level of support and protective measures ("Leading by Example"⁽⁸¹⁾). The data available on poverty levels in the region are largely not adequate to gain insights into gender dynamics of poverty though they may be useful for obtaining a general impression.

The available data on poverty are mainly based on consumption and income data collected at the household level. Hence, such data do not reflect the gender-based differences within households. Countries have acknowledged poverty as a development challenge on the path towards improving the situation of women. However, these countries need yet to define their plans to reduce and

80. Source: Global Gender Gap Report 2011

81. Leading by Example – Protecting the most vulnerable during the economic crisis, The global campaign for the health millennium development goals 2009

eliminate poverty without disregarding the expected impact on gender, and they need to ensure that planning and implementation are gender sensitive.

Data on poverty and the burden of poverty on heads of households by sex reveal that poverty and poverty related burden are highest in households headed by women. From this one concludes that women heads of households face greater difficulties in accessing resources to maintain their families. Households headed by women are characterized by limited opportunities of obtaining and controlling production resources such as livestock, land and trade opportunities. These women mainly work in the unstructured sector for a low income which further reduces their social status as compared to women working in the structured sector.

The small loans and business financing programs, though they are important in fulfilling the immediate livelihood needs of households, do not comprehensively push forward women's economic empowerment. Moreover, the small businesses of women are limited to traditional projects such as sewing, embroidery, and selling food products, which are not sufficient to create new opportunities or create prospects of expansion. Some countries consider poverty a dangerous obstacle in their advancement towards sustainable social and economic growth, sustainable development, equality between men and women, and strengthening human rights among all citizens, especially women. The countries also agree that poverty is one of the factors that have negative impact on women's access to resources and control of such resources in general, which turns the problem into a vicious circle.

Poverty is also strongly related to low education levels. The connection between poverty and limited education levels makes people vulnerable especially when there is lack of human rights awareness. Things become even more complicated for women since their capacities to access and control resources are limited compared to men especially with respect to land, credit, and livestock. This makes women's poverty deteriorate further. The impact of poverty on countries' capacities is translated into lack of health services, lack of reproductive health services, widespread of HIV, abuse, and violence. We can examine the impact of poverty on the different phases of women's lives and their inability to access and control resources and obtain their basic human rights, which constitute burdens on the country's development and the development of the whole region.

Malnutrition among children is a direct outcome of poverty. Low income countries of the region have high malnutrition rates. The middle income countries of the region also have high malnutrition rates due to their gender structure, which defines the distribution and control of resources at the early stages of men's and women's lives. Hence, the rate of females who suffer malnutrition is higher than the rate of malnutrition among males due to discrimination against females and the distribution of roles and statuses in the society. These findings can also be referred to in looking at other indicators such as the maternal mortality rates that result from hemorrhage and anemia as well as female circumcision despite lack of data in these areas.

It is necessary, therefore, to consider the gender perspective when dealing with household issues and women's statuses in the local community and governance agencies since these areas strengthen all forms of discrimination against women and inequality between men and women. These areas must be targeted through partnership programs within the framework of activating the decisions that had been taken at international and national and local levels, which define rights and responsibilities. "Good governance means creating institutions that function properly and are subject to political, judicial, and administrative accountability. Such institutions are considered by citizens as legitimate. And they participate in the decision making processes of these institutions where such decisions affect their lives and contribute to their empowerment," ... 1998, Chapter 4, paragraph 114.

Hence, there is an urgent need to explore new ways of combating the poverty that is widespread among women and expanding the opportunities of women's economic empowerment. Interventions in the region still lack political, economic, and social analyses from a gender perspective as well as programs, legislations, and institutional mechanisms, and governance approach, especially with respect to its impact on women and their gain and control of resources and achievement of their legal and human rights.

1.1.2. Country level

According to the Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995, "Poverty has various manifestations, including lack of income and productive resources sufficient to ensure a sustainable livelihood; hunger and malnutrition; ill health; limited or lack of access to education and other basic services; increasing morbidity and mortality from illness; homelessness and inadequate housing; unsafe environments; and social discrimination and exclusion. It is also characterized by lack of participation in decision-making and in civil, social and cultural life."

The rate of poverty in Jordan⁽⁸²⁾ is estimated at 13 percent. The rate ranges between 9.4 percent in the Greater Amman governorate and 23.0 percent in Almafraq governorate. The poverty gap is estimated at 82 million Jordanian dinars, and the number of poor people is estimated at 706,000 people including 39 percent who are economically active⁽⁸³⁾ (approximately 275,000 people). Unemployment rate among the economically active poor people is estimated at 33 percent (91,000 unemployed people) and the rest (184,000 people) are employed. The total rate of unemployment in the first quarter of 2009 was 12.1 percent, including 9.7 males and 23.1 percent females.

According to the poverty indicators for households, (the main report – Evaluating Poverty in Jordan) the poverty rate is 15.2 percent for households headed by men and 14.1 percent for households headed by women⁽⁸⁵⁾. The poverty rate among the households that are headed by women varies according to marital status hence it is 1.8 percent for single women who head households and 14.6 percent for married women who head households. The rate climbs to 15.6 percent among widowed female household heads, 19.6 percent among divorced female household heads and 37.9 percent among separated female household heads.

There aren't sufficient data on poverty in Lebanon. However, a study⁽⁸⁶⁾ defines poverty in Lebanon in accordance with the monetary approach to poverty measurement (poverty defined by income), which is calculated upon the data on household spending. The study shows that 28 percent of the population of Lebanon or one million people are poor; 8 percent of the population of Lebanon or 300,000 people are below the extreme poverty line (below the lowest⁽⁸⁷⁾ poverty line: No basic or other food is available); and 8 percent of the population in Lebanon live in extreme poverty. The findings of the report show interesting differences between poverty levels in the Lebanese governorates. The study also analyzes the causes of households' poverty. The study concludes that poverty is affected by a number of negative factors and has high risks of preventing access to education, increasing unemployment, and leading to lack of skills, etc. The households that are headed by a person whose education is below basic education constitute 45 percent of the poor households in Lebanon. The households headed by widows are more subjected to poverty than other households.

82. National Report of the Hashemite Kingdom of Jordan, Beijing +15, the Jordanian National Commission for Women, May 2009

83. Employed and unemployed people

84. Ministry of Planning and International Cooperation (2004)

85. Calculated by dividing the number of poor families by the total number of families (poor and not poor), taking into account the sex of household head

86. Hiba Allaithi, Khaled Abu Ismail, and Kamal Hamdan, Poverty, Development, and Income Distribution in Lebanon, Regional Study number 13, International Poverty Center, United Nations Development Program, 2007 – 2008

87. According to the definition of the World Bank of the term "highest" poverty line, the rate of poor people in Lebanon is 28.5 percent, or one million Lebanese persons

Unfortunately, the study does not provide data that are classified by sex or any analysis of gender to assess how poverty is more attached to females than males and to set up assumptions about the relationship between women's access to resources and women's poverty. If we link the poverty index with the education index, illiteracy (see part one) and unemployment (see next paragraph), we can assume that women are more susceptible to poverty. Women's poverty deprives women of empowerment opportunities; its impact on women in this case is deeper than its impact on men. Poverty also affects women's access to education, health, and economy. It also shows women's vulnerability to discrimination and violence. Poverty also limits women's achievement of their human rights.

Poverty in Palestine is more of general than specific nature since men as well as women suffer from poverty for a number of reasons, most prominently, the political situations and the measures taken by the Israeli occupation. However, this does not alter the specific relationship between women and poverty since the percentage of women who support their families is on the rise. This rise is due to a number of reasons such as the fact that the male household head is killed by Israeli troops or detained or disabled. The rate of extreme poverty⁽⁸⁸⁾ among households headed by women in the Palestine in 2011 was 15 percent, including 20.6 percent for the Gaza Strip and 12.5 percent for the West Bank. Poor households in the Gaza Strip are poorer than the poor households in the West Bank. Extreme poverty in the Gaza Strip is 3.2 percent compared to 2.2 in the West Bank. The feminine nature of poverty in Palestine is due to a number of factors such as lack of gender-based justice, and women also lack the education opportunities that are open to men. There is a clear relationship between women's education and poverty: Poverty rates drop among educated women who also have more choices and opportunities. There is also a direct relationship between the increase in the number of dependents in a family headed by a woman and poverty. Palestinian women are also deprived of their inheritance rights, according to the findings of a survey conducted by the Palestinian Central Bureau of Statistics in 1999. The survey also shows that approximately one quarter of women only enjoyed this legitimate and legal right, including 30 percent in the West Bank and 16 percent in the Gaza Strip (67 percent of West Bank women and 38 percent of Gaza Strip women have not had their portions in inheritance).

1.2. Women's economic participation

1.2.1. Regional level

1.2.1.1. Women in the public sector

According to a study by the Arab Labor International Union, the Arab labor force during the early 20th Century registered 65 million people. The figure is expected to rise to 96 million in 2015, which puts the increase in the Arab labor force at 3.3 percent a year. Arab women's participation in the labor force is the lowest in the world. In 1996, women constituted 40 percent of the labor force in the world. At that time, the participation of Arab women in the Middle East and North Africa in the labor force was 26 percent. The low key participation of Arab women in the labor force is the outcome of a number of factors, including high rates of illiteracy, high rates of fertility, and the social structure of the Arab community, which considers women as dependent and secondary sources of income⁽⁸⁹⁾. Hence, the stereotyped women's jobs such as teaching, nursing, and secretarial jobs are defined. Despite the large increase in the number of female students at schools, the rates of women in vocational and technical training are too low. The laws that enforce equality between men and women are still in need of enforcement⁽⁹⁰⁾. Moreover, despite the discrepancies between Arab women that result from being part of different societies,

88. Palestinian Central Bureau of Statistics

89. The annual report of UNIFEM, 1999-2000

90. H. Azzam, J. Abu Nasr & I. Lorfing, 1985

they have common characteristics with respect to the obstacles that stand in the way of their work and development. Such obstacles are also similar to the obstacles faced by women in the countries that are less developed socially. Cynthia Myntti⁽⁹¹⁾, the author of "Women, Work, Population and Development in the Yemen Arab Republic" in 1985 says, if women needed to be encouraged to take part in the development of their country, they also need to change their views about work as well as to reduce the burdens of working women (wives and mothers)." M. Chamie says in a study titled «Labor Force Participation of Lebanese Women» that marriage has a strong negative relationship with women's participation in the labor force. However, the pre-marriage work experience is good improvement to the chances of women work after marriage⁽⁹²⁾.

1.2.1.2. Women in the private sector

Despite the difficulties women face when working outside home, whether in administration, or in the public sector, women in general prefer to work in the public sector since it provides guarantees. Such guarantees, though relative, include profession's rights such as stable jobs, equal pay, vacations, promotions, etc. The public sector also ensures social rights such as social coverage and maternal rights. Women are convinced that the difficulties they face at work are worse at the private sector, especially at the informal sector such as agriculture. It is also difficult to provide data that would help in taking the appropriate measures.

With the launching of the United Nations' Millennium Project 2000, most Arab countries started to adopt more ambitious objectives to empower Arab women in all areas, including enhancing the spirit of taking initiative; however, points of view about achievements in this area vary. According to a number of commentators, Arab women are no longer stopping at being effective members of their communities but they rather are more into organizing their economic interests through communication and networking at local, regional, and international levels. Among the stereotyped images of Arab women, especially Arab women living in the Arab Gulf states who, although facing difficulties in moving in and around their communities [due to customs and traditions], enjoy effective economic participation and full empowerment. We will discuss the situation of the businesswomen in the Arab Gulf states, which will assist in diagnosing the situation of Arab women in the whole region. This, however, does not mean more economic participation of women. Other observers note – and international reports and indicators confirm – that despite the improvements and the lobbying and advocacy campaigns, Arab women's political and economic participation is exceptionally low in the Arab region, especially in the Arab Gulf states. Moreover, there are many legal and institutional restrictions and other obstacles that prevent Arab businesswomen from being active in the field like their male counterparts. The recent political developments in the Arab region have drawn the attention of the world to the region. After enjoying the early moments of freedom, many questions and concerns regarding women's achievements emerged. On the other hand, a different form of change surfaced. This type of change is slower, less clear, and more widespread at the Cooperation Council of the Arab States of the Gulf⁽⁹³⁾.

When observers from all over the world look at the achievements made by women in the Cooperation Council of the Arab States of the Gulf, they oftentimes focus on the discrepancies between these states and the countries of North America and Europe. This comparison has shortcomings especially when we realize that only 36 percent of the women in the Arab Gulf work outside their homes compared to 75 percent of the women in the Organization for Economic Co-operation and Development (OECD)⁽⁹⁴⁾. The women of the countries of the Cooperation Council

91. C. Myntti: «Women, Work, Population and Development in the Yemen Arab Republic», 1985, available at: <http://www.econbiz.de/en/search>

92. M. Chamie «Labour Force Participation of Lebanese Women», 1985, available at <http://books.google.tn/books>

93. The Future of Women Leaders in the Middle East, May 24, 2011/ Summer 2011/ Issue 63

94. Organization for Economic Co-operation and Development/ OECD

of the Arab States of the Gulf remain a minority in the labor force and especially in the private sector. In the Kingdom of Saudi Arabia, for instance, Saudi women were less than 1 percent of the labor force of the private sector in 2009. On the other hand, they constituted 30 percent of the labor force of the public sector in 2008. In Qatar, women constituted 2.6 percent of the public and private labor force in 2008. The World Economic Forum's index of equality between men and women, which covered 134 countries in 2010, show the arrangement of all countries in the six state members of the Cooperation Council of the Arab States of the Gulf; they ranged between 103 for the United Arab Emirates and 129 for Saudi Arabia. A study by the UN Economic and Social Commission for Western Asia (ESCWA)⁽⁹⁵⁾ in 2009 shows that the revenues generated by women in the Arab countries are stagnant and constitute, in average, less than one quarter of the average national income levels.

The study adds that Arab businesswomen do not have similar opportunities of training and capacity building like men. They also face financing and marketing challenges. Enterprises run by Arab businesswomen also tend to employ females more than other businesses, which constitute work opportunities for many women.

1.2.2. Country level

The available statistics in Jordan on the level of women's participation in the private sector are contradictory; they range between 16 and 25 percent. The available information⁽⁹⁶⁾ show clear discrimination against women working in the private sector. The rates of women in the work sectors that are subject to the study (telecommunications, medicine, and information technology) are higher than their average of 13.2 percent of the total number of workers. The rates registered 16 to 25 percent. The rate of women above fifty in these work sectors is only 1 percent. The participation of women in the private sector in Jordan is below the required level due to a number of obstacles such as women's lack of awareness concerning the opportunities open for them in the private sector, the requirements of the labor market of skills, and lack of consistency between the outputs of education and the skills required by the market⁽⁹⁷⁾. The stereotyped images of women's work being mainly limited to work at associations can be added to the aforementioned obstacles. The obstacles also include the limited capacity of women to borrow for small projects, which affects their capacity to benefit from the services offered by lending institutes⁽⁹⁸⁾ and results in their incapacity to acquire the necessary skills to work in the private sector and in a lack of control over projects' outputs. The obstacles also include bad distribution of resources and unequal pay between male and female workers⁽⁹⁹⁾, lack of knowledge about the market needs and other obstacles including legislative obstacles. Jordan, to a certain extent, lacks legislations and a modern labor law that protects women's rights especially with respect to maternal rights and work conditions. The legislations have unintentionally contributed to encouraging employers to discriminate against women in employment in order to avoid additional costs imposed by the laws. The study shows that the Jordanian Social Security Law considers women as supported in their rights unlike the independent economic actors, which encouraged companies to give men different advantages than working women, especially married women. According to the study, the rates of unemployment are higher among women compared to men due to the discrimination against married women in the private sector in employment, promotion chances, and due to their different roles especially at home.

95. UN Economic and Social Commission for Western Asia (ESCWA),

96. The Factors that Affect Jordanian Women's Participation in the Private Sector, a study by the National Centre for Human Resources Development (NCHRD) in Jordan in cooperation with the Jordanian National Commission for Women

97. The Violation of Women's Right to Select the Type of Work, a paper prepared by the Jordanian National Commission for Women and the Jordanian Hashemite Fund for Human Development, 2011

98. For more information see Women Entrepreneurs and Small and Micro Businesses, the Jordanian National Commission for Women and the Jordanian Hashemite Fund for Human Development, 2011

99. Women in the Jordanian Labor Market Report, 2004-2009

In Tunisia, the number of women who were self-employed did not exceed 94,000 in 2011. The number is 12.5 percent of the total number of working women. Alternatively, the rate of men who were self-employed registered 28.2 percent in the same year. Women face more difficulties, compared to men, in obtaining opportunities to conduct economic activities. The difficulties are reflected in weak economic performance of women and the large gaps between males and females in the majority of economic participation indexes. However, in Tunisia, the document of the economic and social program or the "Jasmine Plan" of the interim government can be adopted. The plan aims to "Create the best possible living conditions and ensure prosperity of all people in all directions and strengthen the new foundations of democracy, which will pave the road to a promising future for all Tunisians." The plan focuses on three components:

1. Crises management in the aftermath of the revolution and political reform;
2. Implementation of the democratic shift; and
3. Creation of appropriate conditions for sustainable social and economic development on the medium term.

The women's share of the program can be summarized in the following key points:

1. Withdrawing the reservations on the Convention on the Elimination of All Forms of Discrimination against Women (first political component); and
2. Conduct a number of urgent social and economic procedures, including employment and development; assisting affected companies to go back on their feet again; assist the economy and safeguard jobs; and review the legal framework of the small loans system. A number of revised arrangements and procedures were adopted, including those pertaining to partnership between the public and private sectors and supporting medium and small companies. The procedures have contributed to calming down the economic and social situation. During the interim period of 2012 – 2016, Tunisia looks forward to achieving a high growth rate of 5 percent (the second component on the short run).

The banks operating in Lebanon⁽¹⁰⁰⁾ attract employees in numbers larger than those who quit working for them. Bank jobs have a number of advantages such as employing young people of high educational attainment and good experience. Many of the banks' staff in Lebanon is women. The distribution of banks' staff by sex – all age groups – shows that males' shares are more than females' shares except for the age group of those below the age of 25 where females' share constitutes 54.7 percent. This means that the new comers of the banking industry are mostly females. It also shows that the difference in staff numbers is in favor of males in later ages since 65 percent of banks' staff are females below the age of 40 compared to males in the same age group. The Lebanese Banking Society, shows in its most recent statistics, that women win new job openings of banks. The distribution of workers by sex and educational attainment shows that rate of women with university degrees is slightly higher than the rate of men; it stands at 50.8 percent⁽¹⁰¹⁾.

The Lebanese government's report submitted to the committee of the International Labor Organization (ILO) shows that the rate of employment for women at working age is 25 percent and the rate of employment for women aged 18 to 35 is 36 percent. According to the report, 17.1 percent of women occupy administrative positions at large businesses and 8.3 percent occupy similar positions at medium – sized businesses. The government attributed the findings to the requirements of family life that pushed women towards jobs that are formally restricted to men such as engineering, medicine, accounting, and business management. The ILO committee welcomed the development in Lebanon; however, the committee considers Lebanese women's participation in professional life low. The committee demands that it is informed of all arrangements made for women to join careers other than those that are traditionally known as women's careers, which would provide women

100. 21,337 employees of the banking sector, January 2012 <http://www.sanabil.org/articles/index.php?news=2944>

101. Lebanon Knowledge Development Gateway, effective citizenship and equal human rights, Women's dominance is growing new jobs in the banking sector, <http://lkdg.org/node/5322>

with more opportunities and help them make arrangements between working outside and inside the house. Among the most important obstacles facing Lebanese women who invest in the private sector compared to men are the financial and regulatory obstacles, as concluded by a study by the World Bank on women's participation on the private sector⁽¹⁰²⁾ in Lebanon. Moreover, 64 percent of businessmen obtain bank loans compared to 48 percent of businesswomen, according to the World Bank study. The study also shows that women who own small and medium – sized businesses face an ever increasing rejection of their loan applications; a woman must provide collaterals of a value that exceeds the value of the collaterals requested from a man at 25 to 30 percent. The figures of the Kafalat Company of 2009 show that the number of collaterals given to businesses owned fully or partially by women have not exceeded 1,009 out of 4,281 collaterals (21 percent). The rate of companies that applied for collaterals does not exceed 23 percent or 1,745 out of 7,548 applications that have been approved, rejected, or cancelled⁽¹⁰³⁾.

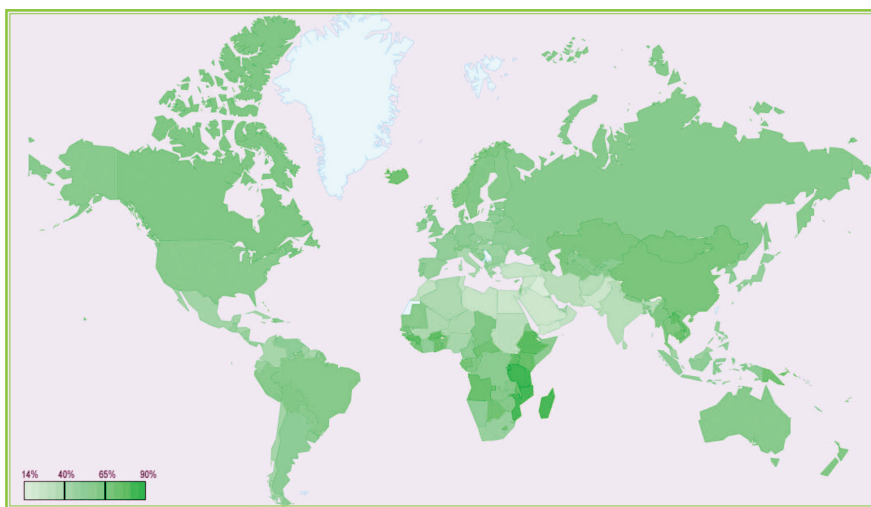
In the free economy approach of the Palestinian National Authority, the private sector has a prominent role in economic activity (over the public sector businesses). The private sector also has a major role in the launching of small and medium enterprises, including those for working women. The distribution of working women in the private sector in the Gaza Strip by years spent in education is as follows: 6.6 percent for women who have never been to school; 0.2 percent for women who spent five years at school; 0.8 percent for women who spent one to six years in education; 10.5 percent for women who spent seven to nine years in education; 32.2 percent for women who spent 10 to 12 years in education; and 42.5 percent for women who spent 13 or more years in education.

2. Employment

2.1. Regional level

International comparisons show that the level of economic performance of women in the Arab countries is the lowest in the world⁽¹⁰⁴⁾. Contrary to what is commonly known, the Tunisian women's economic contribution is the lowest among the international levels. The following map and figure show the situation in the region compared to the world.

THE RATE OF WOMEN'S ECONOMIC PARTICIPATION ⁽¹⁰⁵⁾



102. Minister of Finance Raya Alhasan during the opening of the businesswomen's meeting on developing women's business climate in the Arab countries, Union of Arab Banks, in cooperation with the Organization for Economic Cooperation and Development (OECD)

103. Lebanon Knowledge Development Gateway, effective citizenship and equal human rights, women's total share in bank loans is 5 percent only, The Collective for Research and Training on Development-Action (CRTD.A), <http://lkdg.org/node/4543>, CRTD-A, non-governmental organizations monitor in Lebanon, Issue 86, January 2010

104. International reports on development and gender, United Nations Development Program and the World Economic Forum

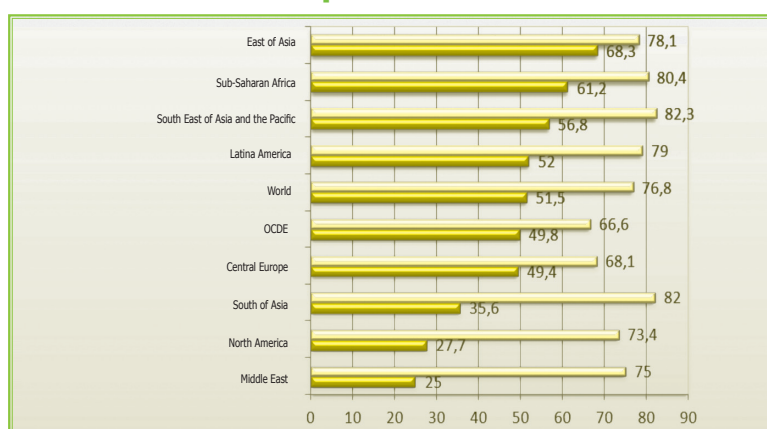
105. The Data of the International Labor Office

The employment issue, which was one of the causes of the youth and Arab communities' revolution, signifies the difficulties and risks. It is also an indicator of the required economic empowerment and dignity. A number of indexes will be presented and compared to other regions and distribution by sex and the paper prepared by Rebecca Grun⁽¹⁰⁶⁾ of the World Bank. A number of indexes seem to be interesting. They were published in international organizations' reports⁽¹⁰⁷⁾. They are distributed by sex. The reports deal with employment, unemployment, social security, and other relevant issues that focus on the youth and women in remote areas.

2.1.1. Unemployment

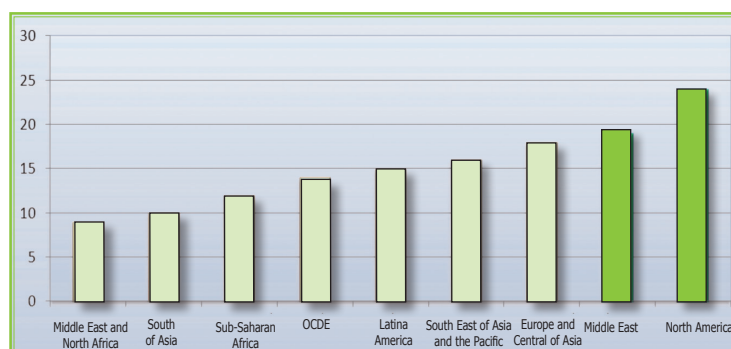
The unemployment rate in the region is not only very high, but even exceeds unemployment rates in all other regions, especially women's unemployment as shown by the following figures:

Men's and Women's Participation in the Labor Market 2007 ⁽¹⁰⁸⁾



The presented data is from 2008; more recent data were not available. However, they show the ever-increasing rate of unemployment among the youth and women. Moreover, the unemployment periods are often too long; they stand at 18, 19, and 11 months, for those who have never worked before in Jordan, Gaza Strip and the West Bank, and Lebanon, respectively. For the permanently unemployed, the periods are 13, 14, and 15 months. The lack of jobs in the region leads to migration to the Arab Gulf countries, Europe, and North America. Some of the migrants risk their lives in search of work opportunities outside their countries when they find closed borders ahead of them.

Unemployment among the Youth of the Middle East and North Africa is more Prominent than other Regions ⁽¹⁰⁹⁾



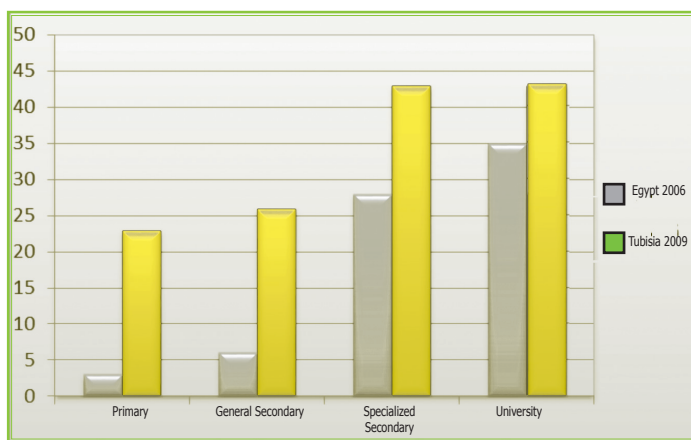
106. «En réponse à la Révolution : Inclusion, Intégration & Responsabilité». Rebekka Grun, banque Mondiale, présentation Powerpoint, non publié.

107. World Bank, UNICEF, International Labor Organization (ILO)

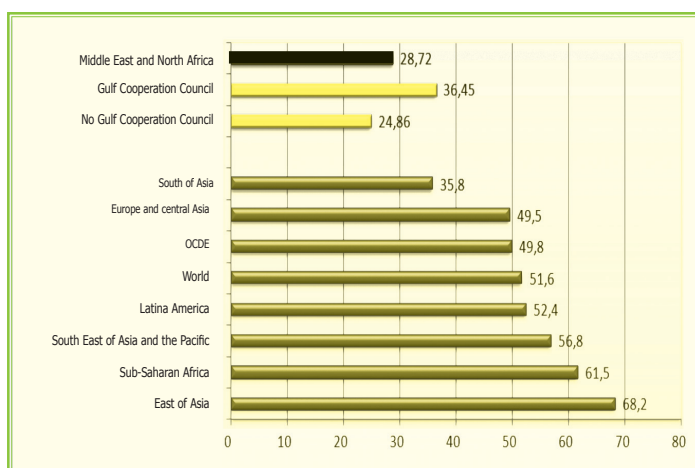
108. ILO, key indicators of the labor market, 2008

109. ILO, key indicators of the labor market, 2008

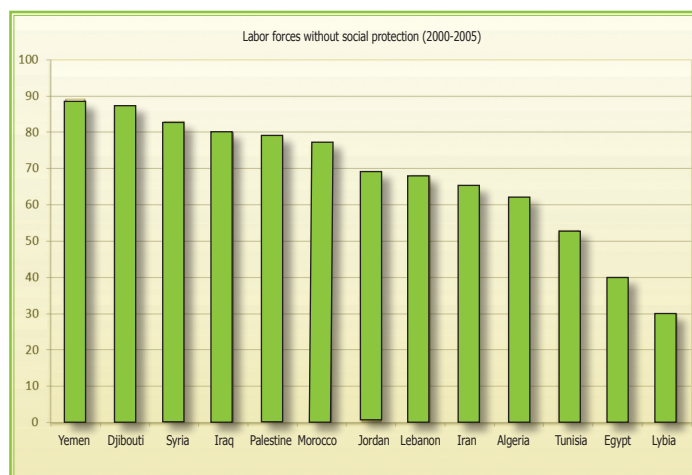
University graduates in some countries are more affected than others (110)



Women face more difficulties while searching for jobs (111)



In many cases, work takes place in the informal sector and lacks quality (112)



110. World Bank report on a labor force survey in Egypt, 2006, and a labor force survey in Tunisia in 2009

111. World Bank report on a labor force survey in Egypt, 2006, and a labor force survey in Tunisia in 2009

112. World Bank report on work in the informal sector 2011

One quarter of the Gross Domestic Product is not reported in many countries of the region, and two thirds of the labor force are informally employed, which have major impact on social protection and financial sustainability and contributes to lack of job opportunities, deterioration in poverty, increased vulnerability and marginalization.

2.2. Country level

2.2.1. Employment rate

The size of the labor force in Jordan is 1.5 million people; the size of unemployed people is 170,000 people; and the number of people who obtained work permits in Jordan is 303,000 people, according to a report by the Labor Ministry. The number of people who enter the labor market every year is estimated at 45,000 to 50,000 people based on the outputs of an educational system, variations, and the socio-economic conditions. The revised economic activity rate of females was 14.7 in 2007. The rate of female employees of the public sector totaled 50.8 percent compared to 48 percent in the non-government sector. The rate of Jordanian female workers benefiting from social security registered 34.4 percent in 2007, including 2 percent in the agricultural sector, 8.1 percent in the industrial sector, and 66 percent in the service sector (education, health, banks, commercial sector, energy, petroleum, manufacturing, telecommunications, and information). The rate of paid female workers was 94.8 percent, the rate of females who were self-employed did not exceed 4.1 percent, and the rate of women working for the family for free was 0.8 percent.

In Tunisia, studies and indicators confirm that women's participation in the official economic activity and integration in the labor market improved in the recent decades; however, they remain weaker than men's participation. The women's economic participation stands at 25 percent compared to 70 percent for men. This means that one in every four women in Tunisia is economically active, whereas two thirds of women remain outside the economic cycle. Though the women's rate in the total labor force is approximately 27 percent, women's economic activity has very slowly improved from 25.1 percent in 1999 to 26.2 percent in 2003 and 26.7 percent in 2011.

According to the data of 2007 of the Lebanese private sector, 21.1 percent of working women participated in the economic life compared to 67 percent for men. The figure of working women's participation in the economic life shows slight improvement from the figure of 2004, which registered 20.4 percent. However, the women's economic activity rate by age group varies; the highest registered 42.6 percent for the age group of 25 to 29, which is an improvement in comparison with 2004 when the same rate was 37.3 percent. The women's economic activity rate by region also varies; the highest registered 32 percent for Beirut.

According to findings, employment in the public sector in Palestine is on the rise since the figures for employment by sector show a rise from 23.3 percent in 2007 to 24.7 percent in 2008 in the public sector. The figures for public sector employment for the Gaza Strip show an increase from 39.1 percent in 2007 to 46.8 percent in 2008 compared to a slight drop in the West Bank from 17.0 percent in 2007 to 16.8 percent in 2008. The rate for private sector employment dropped from 67.3 percent in 2007 to 63.8 percent in 2008, including a drop from 60.9 percent in 2007 to 53.2 percent in Gaza Strip and a drop from 69.9 percent in 2007 to 67.5 percent in the West Bank in the same period.

2.2.2. Unemployment rate

The national report 2010–2011 of the Jordanian National Commission for Women “Jordanian Women’s Advance towards Justice, Participation, and Equality” shows that the unemployment rate of women is more than double of the unemployment rate of men. The report also shows that there are many shortcomings in the women’s employment sector and their education, health, and economic participation. The report explains that the advance in the economic participation rates for Jordanian women has been relatively stagnant for the past twenty years. The unemployment rate of women in Jordan is 21.7 percent compared to 10.4 percent for men, according to the report. The report shows a slow rise in women’s economic participation at 2.4 percent during the past ten years. This means that women’s economic participation did not exceed 14.7 percent last year (the figure is close to the 2000 figure), which raises questions about the actual advance in the levels of Jordanian women’s economic participation during the past twelve years.

In Tunisia, the state supports private investment, free economic initiatives, and creation of job opportunities to reduce unemployment. However, women – though they benefit from education and vocational training – face obstacles in accessing the labor market. The obstacles include being more susceptible to unemployment than men. Unemployment among Tunisian women registered 27.4 percent in 2010 compared to 15.0 percent for men. Unemployment, especially among the youth, was one of the factors that led to the overthrowing of the previous political regime of Tunisia⁽¹¹³⁾. The number of unemployed people with postgraduate degrees was estimated at 202,300 people in 2011, including 64.2 percent women.

In Lebanon, the rate of unemployment for women is 10.2 percent compared to 8.8 percent for men. Unemployment among university graduates is 11.4 percent for women and 10.9 percent for men. The unemployment rate is higher among those with unknown education to register 23.5 percent, including 70.5 percent women. Public sector employees are estimated at 15.7 percent, including 16.1 percent for men and 14.7 percent for women.

In Palestine, the unemployment rate was 26.0 percent of the total labor force in 2008, including 26.5 percent for men and 23.8 percent for women. The highest unemployment rate was among those aged 24, which registered 40.2 percent, including 38.8 percent for men and 47.3 percent for women in the age group of 15.

110. “Apparently, the control of the family is retreating especially in the private domain. However, women’s presence in the public domain is still being controlled except for school and professional domains that receive families’ approval. Boys are usually not under any family control except in extreme cases.” Adolescent Arab Girl, CAWTAR, Tunisia, 2003, p 143

II. LEGAL FRAMEWORK FOR THE PROTECTION OF HUMAN RIGHTS

1. Context of economic rights and women's empowerment in the region

1.1. The right to work

The constitutions of the countries of the region call unequivocally for non-discrimination on the bases of sex except some of them such as the constitutions of Tunisia and the United Arab Emirates. Many other laws, such as the labor laws, comprise this principle to ensure equal job opportunities and the entitlement to social protection. The constitution of the United Arab Emirates stipulates in Article 34 that "Every citizen shall be free to choose his/her work or profession or handicraft within the limits of the law and considerations of the legislations that regulate some of the professions and handicrafts. It shall not be allowed to impose compulsory work on anyone except in exceptional cases shown in the law providing that such work is compensated for. It shall not be allowed to enslave any human being." Article 35 of the same constitution stipulates that, "Public jobs are open for all citizens on the basis of equality in conditions and in accordance with the provisions of the law."

In fact, the 20th Century is considered the golden age of national policies and legislations due to the role played by the welfare state in protecting the workers' social and economic rights. The labor laws aim to protect the weakest link in the production process and ensure social stability and peace in the community. There are a number of Arab countries that enacted laws and regulations to enhance equality between men and women in accessing economic opportunities. We will come across a number of articles of the laws that call for equality between men and women in the right to work and other related rights such as equal pay for similar jobs and other entitlements, or promotion or training or participation in unions and social security. Such laws also call for non-discrimination between men and women.

Article 88 of the Egyptian Labor Law stipulates that, "Women shall be subject to all provisions regulating employment, without any discrimination against them as long as work conditions are the same."

Article 9 of the Moroccan Labor Code prohibits "discrimination based on race, color, gender, handicap, marital status, religion, political opinion, union participation, national origin, or social origin for any employment matters notably hiring, distribution of work, training, salary, promotion, granting of benefits, disciplinary measures and termination. This leads specifically to the following: (1) The women's right to sign job contract (2) Prohibition of any discriminatory procedures based on affiliation or union activity (3) The right of women, whether married or unmarried, to join professional unions and participate in their management." Article 346 of the Moroccan Labor Code stipulates that, "Discrimination based on sex shall be prohibited when the conducted work [by men and women] has equal value." Article 478 of the same Code stipulates that, "Private employment agencies are prohibited from any discrimination based on race, color, sex, religion, political opinion, national origin, or social origin that may harm the equal opportunities principle and treatment in the employment area."

Article 32 of the Emirati Labor Relations Regulation Law approves the equal pay principle between men and women. The Article stipulates, "Women shall be paid same wage as men when conducting similar work." This is an important step towards achieving gender equality. Article 34 stipulates that the employers who violate the law in this regard shall be held legally accountable as well

as the husbands of the women who agree that their wives' works are based on conditions that are contrary to the law. Article 181 comprises two penalties against those who violate the law by committing discriminatory actions against women.

1.2. Economic participation and property rights

There are no legal or legitimate causes in the regular law or the Islamic Shari'a that stop women from owning or handling property. It is also approved that women have the right to obtain loans and sign contracts and establish economic projects. Among the Arab countries that approve the aforementioned are Morocco and the United Arab Emirates. In Morocco, Article 3 of the Obligations and Contracts Law stipulates that, "Every person has the capacity to commit or be committed [to contracts] unless the law stipulates otherwise." Article 4 of the same law defines those with restricted capacity, including the underage, which can only be committed through a guardian. This means that the Moroccan women have the full capacity to [sign contracts]. The law also defines the management of earned money by married couples during marriage. The law approves independent handling of financial issues by married couples; however, the law allows married couples to agree to different arrangements through a document – independent of the marriage contract – to manage their earned money during marriage. In the event of conflict, the judge estimates the contributions of each spouse to increasing the family wealth using general rules of evidence. Article 478 of the Obligations and Contracts Law stipulates that "Selling is a contract through which the ownership of something is transferred from one party of a contract to a second party in return for a price the second party commits itself to paying to the first party." There are no restrictions to this rule except in the cases of sickness or death as defined by Article 479 of the same law. Observers note that the increase in the awareness of Moroccan women of their rights will allow the system of agreement between married couples to handle their earned money to secure their rights and enhance the guarantees that would safeguard women's rights of earnings after marriage from any denial or confiscation.

Article 21 of the constitution of the United Arab Emirates stipulates that, "Private ownership is protected and the law comprises the restrictions of such ownership. No one shall strip anyone off of their property unless for public interest and in accordance with the provisions of the law in return for just compensation." Any Emirati woman, whether widowed, divorced, or married to a non-Emirati may have an accommodation, or land for building an accommodation on. They are also entitled to have the necessary financing for building such accommodation. The Emirati Civil Procedures Law of 1985 regulates the contractual relationships. Article 85 of the aforementioned law stipulates that, "An adult with full mental capacity and not a draftee shall have the full capacity to benefit from the rights stipulated by the law herein and the laws that stem from it. An adult person is the one who has completed twenty one lunar years. Article 157 of the same law stipulates that "Every person has the capacity to sign contracts unless such capacity has been removed or restricted by the law." The Emirati Companies Law of 1987, which comprises general principles on establishing and managing companies, does not include any articles that discriminate between men and women in commercial procedures listed in the law. Article 183 of the Civil Procedures Law stipulates that "If a husband uses coercion against his wife or beats her or stops her from seeing her family or takes similar actions to relinquish a right or give him money, her action shall be invalid." This is in line with Article 62 of the Personal Status Law, which stipulates that "An adult woman shall be free to handle her money. A husband may not handle the wife's money without her consent. Each of the spouses shall have independent handling of their finances. If they become partners in raising funds or build an accommodation or similar issues, each party shall have his/her share upon divorce or demise of the other spouse."

There are many laws that guarantee the two principles of non-discrimination and equality with respect to most economic rights. However, women – regardless of what regular and Shari'a laws say – face obstacles while obtaining such rights due to cultural, societal, and legal barriers. Women who own or inherit property, especially land, face pressure from male relatives to relinquish their legitimate rights in order to "safeguard" the family's wealth by stopping it from going to strangers (the husband and children). In many cases, the male relatives use the rights relinquished by women for personal gains that have nothing to do with safeguarding the family's wealth. Due to the gender structure and reality on the ground as well as distribution of roles and authority within the society and among individuals, including women, the wealth of the family must stay within the family. The family often means the male members. Hence, the wealth must not go to the husbands of the female members of the family and their children since they are considered strangers to the family. According to the dominant culture of the patriarchal society, girls' come to the world to build and enrich other households through reproduction (giving birth to children, especially male children). However, it is often forgotten that reproduction has economic dimensions which are embodied firstly in women's work at home and outside home, and secondly in their provision of income sources (giving birth to male children), which is the connection between reproduction and production.

1.3. Women's economic empowerment and protection of other rights at work

1.3.1. Night work

Traditional societies often reject the idea of women leaving home without permission or approval especially at night since night is considered too risky and the protective culture demands that women must be protected. The laws of some countries organize night work in accordance with such culture. Article 27 of the Emirati Labor Relations Regulation Law stipulates that, "Women must not be employed to work at night. Night means a period of no less than 11 consecutive hours between ten in the evening and seven in the morning." Article 28 provides exceptional cases to women's night work, including (a) The cases when work at an establishment is brought to a halt by force majeure, (b) Working at responsible administrative and technical centers, and (c) Health services where work is defined by a decision from the labor and social affairs minister if the woman is not conducting a manual job. Article 29 of the same law prohibits employing women in hazardous, hard, or harmful jobs. Article 90 of the Egyptian Labor Law stipulates that, "The relevant minister shall decide the nature of jobs that are hazardous to the health or morals and the hard jobs and other jobs that women cannot be employed in." This shows that the law and the society do not stop women from working at night as long as the job is in line with traditional women's tasks such as nursing, midwife, medicine, etc. This also shows that the place and time for women are dependent on the nature and needs of the households, which prevents equal realization of human rights.

1.3.2. Sexual harassment at the workplace

Most Arab laws, including labor laws and criminal laws, do not prohibit sexual harassment at the workplace. They do not either propose "decent" procedures; they merely give women the right to resign their posts [in the event of being sexually harassed]. A small number of the countries clearly criminalize sexual harassment such as Algeria, which amended its criminal law on November 10, 2004 for this purpose (amendment based on Law number 15-04). Sexual harassment is defined as follows, "The abuse of the power of the employment or profession by a person by issuing orders to others or threats or through coercion or pressure in order to make others respond to the sexual desires of such person. The person who is proved to have committed such crime shall be imprisoned for a period ranging between two months and one year and pay a fine ranging between 50,000 to 100,000 dinars."

In Egypt, a draft law on sexual harassment was submitted to the legislative committee of the previous Egyptian parliament. The draft law calls for a penalty for sexual harassment of one year imprisonment at least and/or a payment of a fine of 1,000 Egyptian pounds (approximately 200 dollars). The draft law is based on a study by the Egyptian Center for Women's Rights (ECWR) in 2008, which shows that 83 percent of Egyptian women and 98 percent of non-Egyptian women were sexually harassed in the streets or in public transport. The study also shows that 62 percent of men admitted committing the crime of sexual harassment.

These changes are the outcomes of civil society organizations' efforts, including trade unions, especially women's trade unions. However, the victims of sexual harassment are reluctant to talk about it for different reasons such as fearing the boss and loss of the job, or because of embarrassment, or because it is difficult to prove. Often, the situation is reversed by the person who committed sexual harassment where he turns the woman victim into a liar. It is worth noting that women all over the world, not just Arab women, face these difficulties.

1.3.3. Social rights related to work: maternity and childcare

The Arab labor laws guarantee women's right to have maternity leave; however, the situations vary among Arab countries. There are also variations between the public and private sectors in this regard; and these rights and other rights are denied by the informal sector.

Article 152 of the Moroccan Labor Code stipulates that, "A female employee who is proven to be pregnant by medical certificate shall have a maternity leave of fourteen weeks unless the work contract, or collective work agreement, or bylaws state otherwise." Article 153 of the same code stipulates that, "It shall not be allowed to make women employees, who have recently given birth, work within the first seven weeks of childbirth."

Article 91 of the Egyptian Labor Law says, "A female employee who has spent ten months or more in employment shall be entitled to a fully paid maternity leave of ninety days; however, a medical certificate stating the possible date of childbirth must be presented. It shall not be allowed to make women employees, who have given birth, work within the first forty five days of childbirth. Women shall only be entitled to two maternity leaves during the duration of their employment." Article 93 of the same law stipulates, "A female worker who breastfeeds her baby during the eighteen months following the childbirth shall have two periods for breastfeeding of half an hour each at least – in addition to the approved intervals. Such female worker may join the two periods together. These periods shall be considered working hours and no reduction in wages shall result from them."

Article 30 of the Emirati Labor Relations Regulation Law restricts the paid maternity leave to 45 days, including the periods before and after childbirth and a period of unpaid leave of 100 days.

2. Context of economic rights and women's empowerment in the countries under study

Article 11 of the Convention of the Elimination of All Forms of Discrimination against Women stipulates that, "States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights." The work-related rights that women enjoy can be summarized in involvement in work, work conditions, social and health coverage, and the right to fair pay.

2.1. The right to work

2.1.1. General procedures to enhance equality and combat discrimination at work

Article 23 of the Constitution of The Hashemite Kingdom of Jordan stipulates that, "(i) Work is the right of every citizen, and the State shall provide opportunities for work to all citizens by directing the national economy and raising its standards. (ii) The State shall protect Labour and enact legislation therefore based on the following principles:

1. Every worker shall receive wages commensurate with the quantity and quality of his work.
2. The number of hours of work per week shall be defined. Workers shall be given weekly and annual days of paid rest.
3. Special compensation shall be given to workers supporting families and on dismissal, illness, old age and emergencies arising out of the nature of their work.
4. Special conditions shall be made for the employment of women and juveniles.
5. Factories and workshops shall be subject to health safeguards.
6. Free trade unions may be formed within the limits of the law."

The Jordanian National Charter stipulates that, "Jordanian men and women are equal under the law. There shall be no distinction between them in rights and obligations regardless of difference in race, language or religion. They shall exercise their constitutional rights and uphold the higher interest of the state and the national ethic in such a manner as to ensure that the material and spiritual resources of Jordanian society are freed and directed towards achieving the national objective of unity, progress and building a better future." According to the Jordanian National Charter, "Employment opportunities must be provided to all citizens. Policies and measures must be adopted to achieve this objective, particularly through national plans encouraging labor-intensive economic activities, better working conditions, an improved educational system geared towards the needs of society and a greater social value attached to work of any kind."

In Tunisia, Article 5 of Labor Act number 66 of 1993 dated July 5, 1993 stipulates that, "It shall not be allowed to discriminate between men and women in the enforcement of the provisions of the law herein and its applicable texts." Consequently, employers may not base the selection of job applicants on their sex. They may not define the sex of the job applicants when they advertise for job vacancies since that would embody discrimination. Women also have the same guarantees and rights as men when it comes to dismissal from work. There shall be no discrimination in estimating the fines due to the dismissal and as stipulated by the Act. It shall not be allowed to differentiate between the working conditions of men and women except on biological grounds, especially maternity based on which women are allowed to take absence or leave from work. The Tunisian law is very strict with respect to gender equality; however, it lacks procedures for monitoring implementation as well as necessary budget allocations or shares (positive discrimination). Moreover, there are differences in registering females in technical and scientific faculties at universities which would qualify them for entering the labor market.

The Lebanese law has since 1946 initially acknowledged equality between men and women at work, with job opportunities, work conditions, and work continuity. The law also approves equal pay between men and women for equal work. The Lebanese labor laws provide women with protective procedures at the workplace. However, the practices of the private sector may not be in line with the law sometimes. For instance, women may be forced on grounds of need to accept inappropriate wages.

The efforts of the women's unions and groups in 2000 led to amending Article 26 of the Lebanese Labor Law. The amended Article prohibits employers from discriminating between male and female employees in salary, type of work, employment, promotion, progress, vocational training, or dress code. The law also allows women to sue employers for discriminating against them. Article 34 of the same law gives women one hour break every five working hours compared to one hour break every six working hours for men ⁽¹¹⁴⁾.

Article 2 of the Palestinian Labor Law number 7 of 2000 defines the right to work as "Work is the right of every capable citizen. The Palestinian National Authority shall provide such right in accordance with equal opportunities without any form of discrimination." Article 16 of the same law prohibits discrimination in the work conditions among workers in Palestine. Article 16 gives women full rights to the Labor Law provisions without restricting them to women specific rights only. The law also regulates work relations in the private sector. All Palestinian and non-Palestinian workers living in Palestine and work in the private sector are subject to the Labor Law. The law also regulates the rights and duties of employers and employees and other labor-related issues such as strikes, group work contracts, special groups rights (women and children).

2.1.2. Procedures that promote discrimination at work

The Jordanian Labor Law does not include an unequivocal text that calls for equal pay for male and female employees, which requires amending the law to include such principle and to be consistent with the Equal Remuneration Convention 100 of 1951 of the International Labor Organization. The civil service law does not give women one hour paid breastfeeding intervals. It does not call for establishing nurseries either. The civil service law also restricts the obtainment of female employees of family allowance to the passing or handicap of the husband or when the women are the families' breadwinners. Alternatively, the married male employee is entitled to an unconditioned monthly family allowance, which violates the principle of fair treatment of male and female employees and non-discrimination between men and women on the grounds of sex.

The fiscal laws in Tunisia have several scattered texts and diverse courts that can be sought after. The litigation starts at one court and the process goes through a number of courts. The fiscal legislation does not have special provisions for women; however, the income tax code adopts the concept of family head as a standard for benefiting from tax exemptions. Article 5 of the code stipulates that, "The family head is the husband who supports the children, the widowed, and the adopted." A wife may be considered family head "when she proves that the husband had no income during the year preceding the tax year or when she marries another man and wins custody of her children." Article 40 of the same code gives women the rights of the family head in the event that she wins custody of her children and consequently be entitled to benefit from tax exemptions. The article comprises clear discrimination between men and women since it relies on the family head in income tax issues. For instance, a wife pays income tax on her income from a job or real estate, etc., without having the right to the reductions given to a family head in accordance with Article 40 of the tax code (for children under custody). The Tunisian legislator does not base the family total income on the employment principle and does not enable the wife who is not a family head to enjoy the joint reductions though she is subject to the same tax like her husband.

Article 7 of the Lebanese Labor Law excludes workers in the agriculture sector and domestic servants (who are mostly women). Moreover, the Labor Law and the Social Security Law exclude the workers of the agriculture sector, which affects rural women's basic rights, including the right to work and the consequent rights and benefits.

114. "The report by the Convention on the Elimination of All Forms of Discrimination against Women, 2008

Despite the fiscal provisions of the Palestinian Labor Law, it excludes domestic servants from its provisions (such domestic servants are mostly women). The law also excludes the first degree household members of the employer, which excludes large number of women working in family businesses from the law's legal protection. This facilitates women's exploitation and deprivation of rights, wages, compensation, and intervals and other rights comprised by the law. Palestinian women are clearly discriminated against in the area of participation in making investment, economic, and development policies. The Palestinian Investment Law number 1 of 1998, which was enacted to fulfill investment requirements and set up controls and standards for investment in Palestine, clearly marginalizes women. The Palestinian economic system is based on a free market economy for all investors (guarantee is on capital and profits) and other issues explained in Article 10 of the law. However, the law does not consider or regulate women's access or participation in the process. It marginalizes women's role and access to labor market to invest in it. This has led to ineffective women's participation. The Palestinian Civil Service Law does not, in general, discriminate between men and women since women employees in the public sector enjoy the entire rights of employment. Moreover, Article 88 of the law gives women the special rights they are entitled to as women. Article 53 of the same law gives employees allowances for their unemployed wives and children, according to approved categories, until the children reach the age of 18. The same article stipulates that if the married couples were civil servants, the social allowance shall be paid to the husband only. This discrimination is based on exempting women from the burdens of supporting families – though in fact they support families – and used as a justification to deprive them of the right to participation in decision making and benefiting from the yields of production.

2.2. Economic participation and property rights

In Jordan, where economy is based mainly on human resources, the women's participation in the labor force is a lot less than it should be considering the education rates and females' age structure, according to the Jordanian women's indicators of the Department of Statistics of Jordan. The legislative policy of the state focuses on protecting women's economic rights to achieve women's economic empowerment and equality between men and women. These issues are clearly indicated in the Jordanian constitution and laws; however, the creation of job opportunities is the biggest challenge facing the Jordanian economy due to shortages in economic resources, which accompanied the global economic crisis. The national strategy for women of Jordan has a special component for women's economic empowerment in order to enhance women's employment and deal with the suffering of women in economic participation such as low wages, low vocational qualification, and having large numbers of women involved in the disorganized economic activities. Moreover, the Ministry of Labor formed a committee to deal with establishing a shelter for female domestic servants who run away from the homes in which they work. Also, it established a complaints office for filing complaints against sexual harassment or discrimination. The Ministry of Labor also increased the number of female inspectors to verify compliance with the national and international standards on safe work environment especially for women. Female domestic servants are also made subject to the Labor Law of 2008.

According to the provisions of the law in Jordan, adolescent women who are capable of reasoning are eligible to perform legal actions. Article 142 of the law stipulates that "A husband has power over his wife. If he uses coercion and hit her or prevented her from seeing her family in order to force her to relinquish one of her rights or give him money and succeeded in that, her action shall be invalid." Hence, the Jordanian legislator considers a wife's action invalid if the husband uses his power over her to conduct an illegitimate act, such as to relinquish one of her rights or give him money. Moreover, a fully eligible woman may perform commercial actions, in accordance with the Jordanian civil law, whether she was married or unmarried, without any restrictions. The Islamic Shari's also gives women the right to handle financial issues independent from men.

Paragraph 1 of Article 9 of the Jordanian Trade Law number 12 of 1966 stipulates that traders are those whose profession is to perform trading actions. The eligibility [to perform such actions] is based on the eligibility defined by the Civil Law. The Trade Law guarantees the rights of the wife whose husband is bankrupt. Article 449 of the Law stipulates that a wife may, in the event that her husband goes bankrupt, recover the real estate and movables, which are proven to be her own before marriage as well as the money that became hers during marriage. She may also recover the real estate that she had bought during marriage using money that became hers during marriage; however, the purchase contract must clearly state the use of money or the wife proves the source of the money.

In Tunisia, the equality between the work of men and women is equally guaranteed whether the woman is an employee or employer. A number of provisions that restricted this equality were cancelled, including the condition of husband's consent over the wife's work and obtaining the husband's approval when the woman's guarantee exceeded one third of her money (such provisions were in the Obligations and Contracts Code). The equality is also present in benefiting from the mechanisms of improving work such as rehabilitation and integration and financing small and medium businesses⁽¹¹⁵⁾. There are also procedures to guarantee success for women in their professional life through helping them handle both their careers and family life such as allowing women to work half the time for two thirds of the salary. The Tunisian Economic Initiative Incentive Law created a committee that focuses exclusively on establishing small and medium businesses. It was also stated for the first time that small businesses may join public auctions, which was monopolized by businesses of a certain size with strong competitiveness. The law also approves creating special bodies that support entrepreneurs translate their ideas into businesses and to adopt such businesses for certain period. The law also approves financial incentives, such as tax exemptions and exemptions related to social security payments, specifically targeted at furthering the economic development in the country's interior regions. Though the legislative framework supports women to access all economic activities to achieve independence, there are still gaps between men and women due to the difficulties women face where such difficulties are related to policies, social and economic situations and the gaps between rural and urban women. The situation for rural women is more complicated due to lack of resources such as education, information, movement, and loans.

Ownership still impedes economic empowerment and hinders the process of starting businesses in some countries of the region. Tunisia took a number of procedures to remedying such situation through implementing the circulation of the Ministry of Social Affairs of May 9, 1996 directed at the social security funds. Following this circulation, a wife was able to obtain a loan from the funds, like the husband, to purchase real estate. Law 98 allows joint ownership of property of married couples. It also creates balance in marital life in appreciation of the increasing economic role of women in the household and society. The law does not touch upon the inheritance provisions. Article one of the law stipulates that joint ownership of property is optional where couples may select upon sealing the marriage contract or at a later date. The option seeks to make real estate joint property of married couples, which they jointly share in their marital life. However, any of the couples may apply to cancel such joint ownership.

Tunisia also approves the independent handling of financial issues of married couples (Article 24 of the Personal Status Code). However, the enhanced women's role in the economic life of the family and society led to certain developments that required the intervention of the legislator. When both married couples have paid jobs, both share the burdens of marital life. A frequent

115. Free exhibitions are organized annually for women handicrafts "Women Handicrafts Forum". The purpose is to enhance opportunities of economic empowerment of women and women's economic capacity and the commercial networks to promote women's products in traditional industries. As of 2006, the exhibitions are conducted 3 or 5 times on average at the regions by the Ministry of women Affairs. A website was also created to market such products (www.souk-artisan.es.org.tn)

practice is that the husband allocates his income to purchase real estate and major purchases whereas the wife allocates her income to pay for the daily expenses. Women have a vital role and help their husbands in the daily expenses of the family; however, when divorce occurs, men keep real estate and important property, which is unfair to women and in violation of Article 13 of the Convention on the Elimination of All Forms of Discrimination against Women, which stipulates, "States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular: (a) The right to family benefits ..." Hence, Law 94 of 1998 dated November 9, 1998 was enacted. It deals with an optional system for married couples concerning ownership of real estate, including the family home, which is purchased after marriage. This law has positive impact on women's economic empowerment since it allows women to be involved in the economic life together with men in ownership.

An equal inheritance law was enacted in Lebanon in 1959. This law stipulated that all Lebanese citizens, except the Muslim citizens of Lebanon, must comply with equal inheritance provisions for men and women. The Lebanese law does not allow husbands to prevent their wives from working; however, there are Christian courts in Lebanon that dictates that husbands must approve of the wives' decision to work. In 1994, the Lebanese parliament issued decree number 380 giving single and married women as of the age of 18 the right to work in trade and the right to ownership of resources and handle them, including selling them, without having to obtain the husbands' consent. Most personal status laws in Lebanon allow women to keep the assets they had before marriage. The bank loans and real estate mortgages do not discriminate between men and women.

The chief justice in Palestine issued a circulation that prohibits registration of takharuj (relinquishment of inheritance rights) before four months of the passing of a decedent. The circulation came as a result of the pressure on Palestinian women to relinquish their rights. The circulation also requires presentation of a list of movable and immovable property signed by all heirs in the country and endorsed by the municipality or local council where the estate is located, and submitting a report signed by three experts about the actual price of the portions of inheritance subject to takharuj (partial or full takharuj). The purpose of the circulation is to ensure the rights of the heirs and prevent any mishandling of such rights. The circulation was put into effect on May15, 2011.

2.3. Women's economic empowerment and protection of other rights at work

2.3.1. Tax law

The law amending the Income Tax Law number 25 of 2001 in Jordan comprises provisions that ensure equality between men and women especially in paragraph (b) of Article 4 which gives male and female taxpayers the same tax exemptions. A married couple may give each other such exemptions in part or in full. The same exemptions apply when supporting a parent. Paragraph (c) of Article 4 stipulates that a tax paying wife shall be entitled to full or partial personal exemptions resulting from studying, supporting children and other dependents, and parents. Article 31 of the same law gives a wife up to 1,000 Jordanian dinars (\$700) in tax exemption, which is the same exemption given to the husband.

Lebanon enacted two laws to ensure equality between men and women in tax exemptions and income tax. In 2011, the Labor Law was amended to remove the restrictions on the non-Lebanese who were married to Lebanese women and their children. Consequently, they were granted unrestricted work permits. The Ministry of Labor also asked the cabinet to exempt them from work permit fees after one year of registration of their marriage.

2.3.2. Pension law

Article 116 of the law in Jordan stipulates that, "Every person is eligible for contracts unless such eligibility is taken from him/her or restricted by the law." Hence, a man or a woman must be eligible for a contract to be valid.

In Tunisia, women enjoy social coverage with the same conditions that apply to men since the Social Security Law does not discriminate between men and women. The coverage includes pension, disability, insurance against work accidents, and occupational illnesses. Social coverage also includes women working in the public and private sectors according to Pension Law 12 of 1985 dated March 5, 1985 of the public sector. Women also receive the same rights as men upon dismissal from work.

In Lebanon, Law 343 on equality between men and women in pension and state benefits (services, education grants) was enacted in 2001. The services also cover dependent people and Lebanese female employees, married to non-Lebanese, and their children. Women are also entitled to the same end of service compensation as men. Article 26 of decree 47 of the pension and end of service system of June 19, 1983 deprives the family of a deceased female employee of her pension unless specific conditions apply. The labor laws comprise family benefits such as children allowance (regardless of the child's sex). Male employees are entitled to having allowance for their unemployed wives; however, female employees are not entitled to allowance for their unemployed husbands unless in the event of the demise of the husband or disability, according to Article 3 of legislative decree 3950 of the Employees' Law and Article 46 of the Social Security Law. This is unfair to women since they contribute as much as men do.

Pension Law number 7 of 2005 was enacted in Palestine; its provisions apply to the public sector employees, non-governmental organizations, and local government, and the pension system contributors. The pension benefits also cover old age and disability and death; however, it discriminates against women since it does not recognize the women's reproductive role since it considers men as head of families and breadwinners.

2.3.3. Night work

Minister of Council's decision number 14 of 2003 in Palestine structures women's night work. It allows employment between eight in the evening to six in the morning in the specific cases ⁽¹¹⁶⁾. When it is necessary to work at night to avoid losses that would otherwise incur to the enterprise and in emergencies, the approval of the Ministry of Labor is required and the emergencies must be defined as well as the period. Verbal approval in this case must be strengthened by written approval. The employer must provide women working at night with protection and transport. However, there are issues that need to be reviewed in this regard such as restricting women's night work for humanitarian reasons, which could be interpreted in different ways including the traditional way of considering women weak and needy of protection and considering them unable to decide for themselves. Exceptions to this rule can be observed in practice (hotels, restaurants, theaters, movie theaters, and music halls). These cases and the specific cases of women's night work, as explained in the law, also require protecting women.

The question is whether the positive amendments of the law would be implemented or not. A text is not sufficient to protect rights; it must have guarantees including penalties and mechanisms and arrangements of protection.

116. Work at hotels, restaurants, theaters, cafes, movie theaters, music halls, airports, airline companies, travel agencies, hospitals, clinics, pharmacies, media, old people homes, nurseries, orphanages, disabled people centers, commercial stores, during festive time, annual inventory, budget preparation, and sales.

2.4. Social rights and women's work

2.4.1. Social security

The labor laws in Lebanon prohibit gender discrimination and consider it punishable by law as explained in Article 26. However, there is discrimination between male and female public sector employees in benefiting from the state's benefits and services, as stated by Article 14 of the Social Security Law, though they provide similar contributions. The discrimination is also in the provisions of family allowance, pension, end of service, maternity leave, women's freedom to choose a type of work, protection of women against sexual harassment, medical care, and other social and health services. The discriminatory nature of the law is made obvious as it excludes from its provisions the domestic servants and women in the agriculture sector (to be explained further later).

In 2002, a number of provisions of Article 14 of the Social Security Law were amended as follows: The word "covered" includes males and females without discrimination. The services "covered females" benefit from are her rights and her children's rights. Articles 625 to 628 were amended in 2003 by the Trade Law to end any discrimination against women in trade. In January 2007, Lebanon adopted a social action plan to "enhance social spending and reduce national poverty."

2.4.2. Health and safety of women's work

Article 69 of the Jordanian Labor Law stipulates that the Labor Minister has, after discussion with the relevant official parties, decided the works that are prohibited to women. The same law also stipulates that maternity leave shall not be less than six weeks.

In Lebanon, Article 27 of the Labor Law prohibits employment of women at jobs that affect their health and that of the fetus, if they were pregnant, and the health of the children.

In Tunisia, women enjoy social coverage with the same conditions that apply to men since the Social Security Law does not discriminate between men and women. The coverage includes pension, disability, insurance against work accidents, and occupational illnesses. The Tunisian legislator prohibits women from working at mines and underground (Article 77 of the Labor Code) and at night (Article 66) unless in exceptional cases such as force majeure (Article 68). It is worth noting that there are differences between the situation of women working in the public and private sectors in maternity leave and amount of allowance.

In Palestine, labor minister's decision number 2 of 2004 prohibits employment of women in dangerous or onerous jobs that would threaten their health and safety⁽¹¹⁷⁾. Women who conduct office or administrative duties are excluded. The decision also prohibits employment of pregnant women and those who are breastfeeding in specific jobs⁽¹¹⁸⁾.

2.4.3. Maternity and childcare

A pregnant female employee in Jordan is entitled to a maternity leave of ninety days, according to Article 105 of the Civil Service Law number 30 of 2007. Such leave shall be fully-paid including due allowance. This shall be based on a medical report from a doctor or a midwife. The maternity leave does not affect the annual leave. According to Article 108, the female employee is also entitled to unpaid holiday after the maternity leave of a period not exceeding two years to look after her

117. Mines, quarries, digging underground, explosives and fireworks manufacturing, asphalt, alcohol manufacturing and spirits, making and using insecticides, welding that produces harmful gases and rays, solvents use in cleaning machines and clothes, working at forests and cutting trees, and natural reserves.

118. Industrial works that use mercury such as making mirrors and glasses, products that involve lead and more than 10 percent of lead, any work that involves steams or smoke from petroleum products, paints, making tires, fertilizers, making and fixing electric batteries.

baby. This period excludes any time spent by the female employee at work after the maternity leave. Moreover, the Labor Law prohibits employers from dismissing pregnant employees in their sixth month of pregnancy or during maternity leave. The Law increased the maternity leave to ten weeks fully paid. The Law also gives women paid intervals of no more than one hour a day during the first year of childbirth for breastfeeding.

The Tunisian legislation helps mothers in coordinating between family and work responsibilities. It develops childcare centers for children aged 3 to 6. A special law was enacted on July 26, 1994 on the expenses of daycare centers for those covered by social security funds. However, there is a difference between the situation of women working in the public and private sectors in maternity leave and amount of allowance.

The Lebanese legislative council increased the maternity leave from 40 days to seven weeks fully paid and prohibited dismissal of pregnant women. Article 38 was amended to give public sector female employees a 60-day maternity leave. Article 29 prohibits dismissal of women while they are five months pregnant or during maternity leaves. However, the law does not prohibit employers from dismissing pregnant women before the fifth month of pregnancy, which threatens the future of pregnant women and violates international conventions. Moreover, maternity leaves vary between different establishments. Article 48 defines maternity leave for public sector employees at 60 days. Article 15 of decree number 5883 gives pregnant women at directorates 40 days fully paid maternity leave. Lebanon, however, has not yet endorsed Maternity Protection Convention 103 - International Labor Organization. The Lebanese law approves paternity leave to help in the family duties especially in raising children, which is a distinctive feature of the Lebanese law. Article 34 of the Labor Law gives women the right to have daily intervals of one hour whenever office hours exceed five, which gives women time to relax and breastfeed.

In Palestine, it is prohibited to employ women in dangerous and onerous jobs that are defined by the minister [of labor] during pregnancy and the first six months of childbirth, or in overtime or night work except for works defined by the council of Ministers (Article 101). The law gives women who had spent 180 days at work before childbirth the right to a fully paid ten weeks maternity leave. The law prohibits dismissal on the grounds of the aforementioned leave unless it was proven that the person on maternity leave carried out another job. Breastfeeding women are given intervals for nursing the baby during office hours of no more than one hour for one year of childbirth; such hour shall be included in the daily office hours. A working woman is also entitled to an unpaid vacation to look after her child or to accompany her husband.

2.5. Protection from gender-based violence in the economic domain and at the workplace

2.5.1. Human Trafficking

Jordan established the anti-human trafficking unit, which consists of inspectors from the Ministry of Labor and the police. The unit receives complaints related to human trafficking. The Ministry of Labor established a special department for domestic servants (the Domestic Servants Department), which handles issues and complaints related to domestic servants. The Ministry also established a 24-hour hotline for domestic servants, which receives calls in a number of languages such as Indonesian, Bengali, Indian, Chinese, Filipino, and Sri Lankan. The police department also has hotlines to receive complaints. However, Jordan has not yet endorsed the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families 1991.

A study ⁽¹¹⁹⁾ shows that human trafficking cases in Lebanon are few and limited in number; they are dealt with by different provisions of the law since the Lebanese law does not define the crime of human trafficking. The study uses a sample of 17 criminal cases that may be connected to human trafficking such as kidnapping. However, Lebanon lacks legislations pertaining to human trafficking. In any case, a law in this regard was drafted and submitted to the Lebanese parliament on August 10, 2010 (decree number 5173 of August 10, 2010).

The draft law aims to combat human trafficking crimes. The drafting of the law was part of a number of official steps taken by Lebanon; for instance, on March 31, 2010, memo 1/23 was issued to obligate the owners of the agencies that bring foreign workers to bear the costs of sending back such workers to their countries, replace them, and reimburse the employers of such workers if the workers refuse to conduct their duties, were pregnant, were mentally ill, or had a communicable disease, or had a handicap that prevented them from conducting the jobs appropriately within six months of their entry to Lebanon. Law number 1/13 was issued on January 22, 2009 to regulate the work of the agencies that bring to Lebanon female domestic servants (this law was issued to amend decision number 1/70 of July 17, 2004, which dealt with the same issue).

2.5.2. Sexual harassment at the workplace

The criminal law of Jordan comprises articles about sexual harassment at the workplace. Moreover, the labor law of Jordan, based on a 2008 amendment, gives the employees the right to resign their jobs without giving a notice if the employers beat, degrade, or sexually harass them. Their resignation shall not deprive them of their employment rights or any compensations or damages resulting from such resignation. The law also allows the labor minister to close an establishment for the period he/she deems appropriate if the owner of such establishment beats or sexually harasses the employees. The provisions of any effective legislation must be taken into consideration.

The Lebanese labor law does not prohibit sexual harassment at the workplace; it stops at giving the employees the right to resign their posts without giving a notice to the employer if the employer commits an immoral act against them or any of their family members. The draft labor law, which the labor ministry drafted and submitted to cabinet in April 2010, does not amend these provisions. Hence, the only available option for the victims of sexual harassment at work is to resign their posts and the perpetrators get off scot-free.

The draft Palestinian labor law does not deal with sexual harassment against women at the workplace, which requires serious legal treatment to protect working women. The victims of sexual harassment at work must be given the right to resign their posts without giving a notice. They must be given the right to demand compensation from the employers.

119. Ministry of Justice, in cooperation with the United Nations Office on Drugs and Crime and the UNICEF, Human Trafficking in Lebanon (Prevention and Combating Human Trafficking, Situation in Lebanon), May 2008, pp. 40-41

III. ALIGNMENT OF NATIONAL OBLIGATIONS WITH INTERNATIONAL STANDARDS

1. Compliance with international standards at the regional level

1.1. The right to work

All Arab countries are members of the International Labor Organization (ILO). They are, therefore, obliged to respect the ILO Declaration on Fundamental Principles and Rights at Work of 1998. They must also review their laws and legislations to ensure that they are consistent with the Declaration. The Arab countries have also endorsed a number of ILO's conventions such as the Hours of Work (Industry) Convention, 1919; Convention concerning Forced or Compulsory Labor, 1932; Labor Inspection Convention, 1947; and Convention No. 89: Night Work (Women) Revised.

Article 11 of the Convention on the Elimination of All Forms of Discrimination against Women stipulates that, "1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular: (a) The right to work as an inalienable right of all human beings; (b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment; (c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training; (d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work; (e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave; (f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction."

1.2. Economic participation and property rights

Paragraph 2 of Article 15 of the Convention on the Elimination of All Forms of Discrimination against Women stipulates that, "States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals."

Paragraph (h) of Article 16 of the Convention on the Elimination of All Forms of Discrimination against Women stipulates that, "States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women: The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration."

1.3. The right to maternity leave

Article 4 of the Convention No. 183 of 2000 concerning the Revision of the Maternity Protection Convention stipulates that, "On production of a medical certificate or other appropriate certification, as determined by national law and practice, stating the presumed date of childbirth, a woman to whom this Convention applies shall be entitled to a period of maternity leave of not less than 14 weeks ... With due regard to the protection of the health of the mother and that of the child,

maternity leave shall include a period of six weeks' compulsory leave after childbirth, unless otherwise agreed at the national level by the government and the representative organizations of employers and workers. The prenatal portion of maternity leave shall be extended by any period elapsing between the presumed date of childbirth and the actual date of childbirth, without reduction in any compulsory portion of postnatal leave." Article 6 of the same Convention approves the right of the women to have benefits equal to two-thirds of their previous earnings during maternal leave. The article stipulates:

1. "1. Cash benefits shall be provided, in accordance with national laws and regulations, or in any other manner consistent with national practice, to women who are absent from work on leave referred to in Articles 4 or 5.
2. 2. Cash benefits shall be at a level which ensures that the woman can maintain herself and her child in proper conditions of health and with a suitable standard of living.
3. 3. Where, under national law or practice, cash benefits paid with respect to leave referred to in Article 4 are based on previous earnings, the amount of such benefits shall not be less than two-thirds of the woman's previous earnings or of such of those earnings as are taken into account for the purpose of computing benefits . [...]
4. 6. Where a woman does not meet the conditions to qualify for cash benefits under national laws and regulations or in any other manner consistent with national practice, she shall be entitled to adequate benefits out of social assistance funds, subject to the means test required for such assistance.
5. 7. Medical benefits shall be provided for the woman and her child in accordance with national laws and regulations or in any other manner consistent with national practice. Medical benefits shall include prenatal, childbirth and postnatal care, as well as hospitalization care when necessary.
6. 8. In order to protect the situation of women in the labor market, benefits in respect of the leave referred to in Articles 4 and 5 shall be provided through compulsory social insurance or public funds or in a manner determined by national law and practice ..."

Article 9 of the Convention No. 183 of 2000 concerning the Revision of the Maternity Protection Convention stipulates that, "1. Each Member shall adopt appropriate measures to ensure that maternity does not constitute a source of discrimination in employment, including – notwithstanding Article 2, paragraph 1 – access to employment. 2. Measures referred to in the preceding paragraph shall include a prohibition from requiring a test for pregnancy or a certificate of such a test when a woman is applying for employment, except where required by national laws or regulations in respect of work that is: (a) prohibited or restricted for pregnant or nursing women under national laws or regulations; or (b) where there is a recognized or significant risk to the health of the woman and child."

The Convention strengthens women's right to maternity leave (Article 4) and the right to cash benefits during maternity leave (Article 6) as well as the protection of workers and elimination of discrimination. However, the analysis of practices of the public and private sectors shows that Arab countries have not fulfilled their international obligations. They have not followed the international standards in labor law especially with respect to the situations of women as mothers and wives. These two roles are sanctified in private life but not appreciated in public life. The people in charge and decision-makers consider them obstacles in the face of employing women, their promotion, and their capacity to be responsible. When women are lucky enough to get a job, they are forced to give up some of their duties as mothers and wives and hence relinquish a number of their rights as working women.

Paragraph 2 of Article 11 of the Convention on the Elimination of All Forms of Discrimination against Women stipulates that, "2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate

measures: (a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status; (b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances; (c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities; (d) To provide special protection to women during pregnancy in types of work proved to be harmful to them."

1.4. Night work

According to the paragraph (a) of C171 - Night Work Convention, 1990 (No. 171) Convention concerning Night Work, the term night work "means all work which is performed during a period of not less than seven consecutive hours, including the interval from midnight to 5 a.m., to be determined by the competent authority after consulting the most representative organizations of employers and workers or by collective agreements;". Article 7 of the same Convention stipulates that "

1. Measures shall be taken to ensure that an alternative to night work is available to women workers who would otherwise be called upon to perform such work:

- (a) before and after childbirth, for a period of at least sixteen weeks of which at least eight weeks shall be before the expected date of childbirth;
- (b) for additional periods in respect of which a medical certificate is produced stating that it is necessary for the health of the mother or child:
 - (i) During pregnancy;
 - (ii) During a specified time beyond the period after childbirth fixed pursuant to subparagraph (a) above, the length of which shall be determined by the competent authority after consulting the most representative organizations of employers and workers.

2. The measures referred to in paragraph 1 of this Article may include transfer to day work where this is possible, the provision of social security benefits or an extension of maternity leave.

3. During the periods referred to in paragraph 1 of this Article:

- (a) A woman worker shall not be dismissed or given notice of dismissal, except for justifiable reasons not connected with pregnancy or childbirth;
- (b) The income of the woman worker shall be maintained at a level sufficient for the upkeep of herself and her child in accordance with a suitable standard of living. This income maintenance may be ensured by any of the measures listed in paragraph 2 of this Article, by other appropriate measures or by a combination of these measures;
- (c) A woman worker shall not lose the benefits regarding status, seniority and access to promotion which may attach to her regular night work position.

4. The provisions of this Article shall not have the effect of reducing the protection and benefits connected with maternity leave."

2. Compliance with international standards at the country level

Jordan has a number of procedures that discriminate between workers. The Labor Law does not clearly call for equal pay between male and female workers, which requires amendments to be in line with the Equal Remuneration Convention 100 of 1951 of the International Labor Organization. The civil service system does not include a provision that gives a breastfeeding

employee one hour paid interval to nurse her baby or establishment of nurseries. Moreover, the civil service system restricts obtainment of the monthly family allowance for a female employee to specific conditions, including being a widow or having a disabled husband whereas the conditions do not apply to a male employee to obtain family allowance. This contradicts with the equality principle among employees since there is discrimination between male and female employees, which requires amendments to be in line with the provisions of the constitution and the Equal Remuneration Convention 100 of 1951 of the International Labor Organization.

The International Labor Organization focuses on the women's economic rights and elimination of all forms of discrimination against women. Hence, it issued a number of conventions on issues related to women such as maternal protection, non-discrimination, secondment, and equal pay. Tunisia endorsed the most important conventions that strengthen equality between men and women, including Equal Remuneration Convention 100 of 1951 of the International Labor Organization; ILO Convention No. 111 Discrimination (Employment and Occupation) Convention, 1958; C117 - Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117); and ILO Convention 122, Employment Policy. The internal legislation is consistent with these conventions and is concerned with gender equality at work and provides women with a special protection system.

In addition to the laws that regulate private and public lives, some examples of adapting amendments of laws to meet international conventions can be given for the case of Lebanon: law number 207 of May 26, 2000 concerning amendment of Article 26 of the Labor Law to include prohibiting employers from practicing gender discrimination in type of work, wages, and employment, which is in line with the Equal Remuneration Convention 100 of 1951 of the International Labor Organization: Also, law number 220 of May 29, 2000 (Article 80) concerning amendment of paragraph (d) of Article 14 of the Social Security Law to include coverage of males and females with services up to the age of 25. However, Lebanon is yet to endorse Maternity Protection Convention 103 - International Labor Organization. The Lebanese law approves paternity leave to help in the family duties especially in raising children.

In Palestine there are a number of laws still in effect that were enacted during the British mandate. The most recent effective law goes back to 1967, which is the start of the Israeli occupation of the Palestinian territories. Therefore, talking about adapting such legislations to the legal principles and laws of the international community and the human rights and liberties is not possible because the majority of these legislations were enacted long before the international conventions and human rights were put into effect. These old legislations are contradictory to the international conventions. For instance, Article 62 of the Criminal Law of 1960 does not consider beating and other harmful methods as crimes. Most of these legislations do not call for equality between men and women. However, these shortcomings do not apply to the modern legislations ratified by the Palestinian Legislative Council since they are consistent with the international standards and principles. The provisions of the second chapter of the Palestinian Basic Law show that the Palestinian legislations are in line with the international conventions with respect to the right to life, physical safety, prohibition of discrimination, freedom of belief and worship, freedom of speech and movement and work, right to ownership, home sanctity and personal privacy, fair trial guarantees, prohibition of arbitrary detention, right to litigation, right to establish newspapers, and other rights.

IV. NATIONAL FRAMEWORK OF POLICIES, PROGRAMS, AND STRATEGIES

1. Regional level

1.1. Plans and strategies related to women

The analysis of the women's economic empowerment policies and their impact on women in general and on rural women in particular requires referring to relevant documents. We will pinpoint the general practices of the region with macro level analysis, and we will analyze the impact of such practices on women's economic empowerment and elimination of discrimination against women in order to achieve equality between men and women.

Most Arab countries set up national plans of 3, 5, 10, 15, or 20 years in which they allocate a section for women usually titled Women and Development; alternatively, they integrate women into all sections of the plan. However, the Women and Development section, or integration of women into all sections, is not translated into programs or budgets since sector plans do not consider women's issues as priority. In the framework of implementing the Beijing action plan, most Arab countries set up national strategies for women's empowerment, including economic empowerment, focusing on one area of intervention out of the 12 intervention areas of the Women's International Conference.

The countries that created strategies to combat violence against women, including Morocco, Algeria, Tunisia, Lebanon, Jordan, Syria, Iraq, and Kurdistan-Iraq started to integrate the impact of poverty on the victim of gender-based violence and to diagnose all types of economic violence. These strategies constituted the reference for the advocacy campaigns for change, which led to reforms, including legal reforms. However, the strategies were not sufficiently funded or had did not have sufficient programs to realize the strategies' expected outcomes, despite the existence of clear indicators for developing the situation. Arab countries have adopted the millennium development goals, especially the first goal on reducing poverty and the third goal on gender equality. They are also committed to international conventions that led to new strategies supported by international organizations especially the UN agencies. However, implementation is still far from satisfactory.

The development organizations and civil society organizations have played important roles in providing loans and capacity building for women especially among the most impoverished women in all areas; rural and distant areas in particular. The initiatives of the organizations sought to provide women with incentives to start income generating businesses that may expand and provide employment opportunities and contribute effectively to the economic cycle. This was conducted in cooperation with the relevant ministries and government agencies (ministries of social affairs, social funds, etc.) or with the support of international and regional organizations. However, the interventions have not reached the level of comprehensive change in the life of women and societies, or in development in general. Moreover, women have not been considered as human resources and production power in the economy or macro policies.

1.2 . Economic Policies

1.2.1. Concepts

There is a special language for economic policies that goes beyond the language of planning, policy making, and outcomes to be achieved at the national and/or regional level. The economic policies in the Arab region, like other regions of the world, are subject to the language of globalization,

which affects development and legal areas, including equality between regions and countries, and social classes of the same country, and between men and women. Hence, it is important to define a number of concepts and define the economic policies, especially those related to labor, and the impact of that on women and gender equality.

1.2.2. Economic reform and structural adjustment

Structural adjustments are policies implemented by the International Monetary Fund and the World Bank (known as the Bretton Woods institutions) in developing countries. Changes in the national policies are nonnegotiable preconditions for obtaining loans from the World Bank or the International Monetary Fund, or to reduce the interest rate on the existing loans. The preconditions are implemented to ensure that the money is spent within the purposes of the loan. The structural adjustment programs are designed to reduce the external debts and trade deficits of the country.

The structural adjustment programs should allow the economies of the developing countries to be more market oriented, which requires focus on trade liberalization and production to enhance the economy. According to the conditions of the structural adjustment programs, national programs are designed in line with a free market economy ideology. The programs include internal changes, especially privatization, deregulation and reducing trade barriers. The countries that fail in setting up and implementing the programs may be subjected to very strict financial controls. Critics see the financial threats to poor countries, including Arab countries, as blackmail since the countries have no option but to yield.

The supporters of structural adjustment, such as the World Bank, have been promoting the idea of "reducing poverty" as a goal since the 1990s. The structural adjustment programs have been criticized many times for implementing the free market policy without integrating the relevant country while marginalizing the role of the state. To enhance the participation of the borrowing countries, these are urged to produce the so-called Poverty Reduction Strategy Papers (PRSPs) to replace the structural adjustment programs. Some believe that the increase of the government's participation in setting up policies will increase ownership of programs and, consequently, will lead to a better fiscal policy. In fact, the poverty reduction strategy papers are similar in context to the structural adjustment programs. Critics see the similarities in the fact that the lending banks and countries still take part in them; they have excessive interference in the process of setting up and making policies.

1.2.3. Foreign direct investment

Foreign direct investment are the net inflows of investment to acquire a lasting management interest (10 percent or more of voting stock) in an enterprise operating in an economy other than that of the investor. It is the sum of equity capital, reinvestment of earnings, other long-term capital, and short-term capital as shown in the balance of payments ⁽¹²⁰⁾. They also include participation in management and joint venture and transfer of technology and expertise.

There are two types of foreign direct investment: Inward foreign direct investment and outward foreign direct investment, leading to net flow of foreign direct investment (positive or negative) and stocks in foreign direct investment, which is the accumulative number for a specific period of time. Foreign direct investment excludes investment in another country's bonds and stocks; it is also considered one of the international factor movements. Foreign direct investment is a measure of ownership of production assets such as factories, mines, land, and water. The increase in foreign investments may be used to measure growth of economic globalization.

120. <http://data.worldbank.org/indicator/BX.KLT.DINV.CD.WD>

1.2.4. Transnational corporations

Transnational corporations or multinational corporations⁽¹²¹⁾ are enterprises that manage production or provide services in more than one country. They may be called international corporations. The International Labor Organization defines multinational corporations as corporations with headquarters and management in one country (the homeland) and operations in many countries (host countries). The budgets of some multinational corporations exceed the gross domestic product of some countries. They have major if not dominant impact on local economies and even the global economy; they play important roles in international relations and globalization.

1.3. Labor policies

Globalization, Arab Women and Gender Equality by Shahida Elbaz⁽¹²²⁾ shows that the labor policies came at the same time with the creation of powerful trade unions that negotiated on behalf of workers to safeguard their interests and career lives. The work relations were defined in group work contracts that were negotiated by workers' representatives and employers and state. The dynamics of structural adjustment policies as national globalization policies also produced new forms of social arrangements consistent with economic globalization. Hence, many changes took place in work patterns and conditions, and in international and national labor relations. The group work contracts are replaced by individual contracts as bilateral contracts between worker and employer; the contracts' conditions are defined by the labor market. The market powers and a balance between capital interests and labor should achieve flexibility in the labor market and create new job and employment opportunities, and also enhance integration in the global market. Hence, the labor laws and policies were amended to be consistent with the new developments, including new policies to take a number of arrangements as part of the economic restructuring. The objectives of the economic restructuring include:

- End institutional and organizational restrictions that hinder adaptation of the labor force to the new developments.
- Facilitate movement of labor forces between economic sectors through liberating employment and doing away with procedures.
- Achieve flexible wages through ending wage regulations that impose minimum wages or link wages to price levels.
- Separate social services from the work contract and shift responsibility for social services to local government.

To encourage transnational corporations and foreign direct investment, the developing countries allowed transnational corporations not to be subjected to national labor laws. Therefore, this situation creates isolated bodies that are not bound by the countries' laws with different work systems and procedures. This situation makes trade unions lose their legitimate power to defend workers especially the most vulnerable; the female workers.

The Arab countries that set up work policies consistent with the free market policies are those which adopted the structural adjustment policies. The new labor policies have two objectives, including:

1. Restructuring the labor force to be consistent with the requirements of the free market economy, which means, implicitly, taking the necessary measures to achieve work and wage flexibility to facilitate movement of labor force and encouraging investors through limiting their economic and social responsibilities (some Arab countries amended their labor laws such as Tunisia and Egypt). The shifting from group contracts, which are protected by the

121. Multinational corporation (MNC) or multinational enterprise (MNE)

122. Elbaz, S. Globalization, Arab Women and Gender Equality, 1999 <http://www.forumtiersmonde.net>

law, to individual contracts between employee and employer is very important, though the employee is usually the weakest link and the most vulnerable to risk. Moreover, the shift in the contracts will harm the protection of male and female workers, including the social rights that are granted to women by national laws and the maternity leaves, which do not encourage employers to employ women. This makes the specific women's work rights laws inconsistent with the international labor conventions, which does not encourage women to hold on to their jobs due to the burdens of working at home.

2. Avoiding the negative effects of the adaptation policies on the labor force, especially, unemployment. Arrangements need to be taken to build the capacities that open new opportunities and new jobs such as rehabilitation and training.

The Arab countries also took procedures to increase income generating opportunities such as small and medium businesses. The government also provides temporary employment projects and spreads information about job opportunities for job seekers. These arrangements were followed in Morocco, Egypt, Tunisia, and Yemen; the focus was on unemployment among the youth. Other arrangements were also taken. The freedom given to the private sector increases unemployment; this results from budget preparation with austerity measures taken against new jobs. Women, in this context, are the first to resign their jobs and the last to be employed. When a woman wins a job, it would be according to unfavorable conditions, and the jobs are less secure than men's jobs. Noticeably, the general policies in the Arab countries do not lead to a change in the woman's weak stand and take her to gender equality.

Women's lack of knowledge about gender issues makes the situation even worse, according to Elbaz and a number of analysts; henceforth, women would submit to men in the family and be subject to their decisions and powers even when the woman is working and contributing to the household's budget or even when she is the sole breadwinner. This is the first level of analysis. The in-depth analysis leads to the conclusion that even when women are aware of such situation, which they live everyday at home and outside home, they would adapt to them for fear of insecurity and instability, even when they have jobs. They live a dilemma in this case because they lack the resources to decide and live up to the consequences of their decisions ⁽¹²³⁾.

This requires institutionalizing gender structure and role distribution and authority in the Arab laws so as women would not be worried about their future and be under the constant fear of insecurity in her private sphere. Such feelings strongly affect the choices Arab women make with respect to their participation in the different walks of life, including economic activities, and restrict their power to demand their rights even when such rights were stipulated by the law.

Finally, the review of the impact on globalization on equality between men and women gives rise to the following question: Do some structured development strategies lead to equality between men and women while others structurally lead to inequality? The purpose is not to analyze development policies and strategies from their economic, social, and political validity for each country. It is rather to ensure that the design of policies and strategies is soundly based on the requirement of women's participation if the desired outcomes are to be achieved. From a hypothetical point of view, we take major steps to achieve equality between men and women when the development strategies are dependent on full mobilization of human resources including 50 percent women at least.

123. F. Benhadid, *Reproduction Power, Mythology or Reality*, Aix-en-Provence University, Euro-Mediterranean Courses, 1991

V. INTERNATIONAL AND REGIONAL INSTITUTIONS AND MECHANISMS

1. Institutions and organizations

Within the framework of this study, and at the level of the four countries included in it, statistics were prepared for all government agencies and non-governmental organizations of the civil society, including women's societies, development and legal societies, and those related to the public sector such as trade and professional unions as well as some of the private sector institutions. This section presents a number of regional and international organizations, as examples only, that play roles in the area of women's economic empowerment. Some of the regional organizations are also involved in areas outside the Arab countries such as Africa and Asia, and some organizations, especially UN organizations, have representative offices in the region and implement regional policies, or have representations in every country.

1.1. Regional organizations

1.1.1. The Arab Gulf Program for Development (AGFUND) ⁽¹²⁴⁾

The areas of operation of AGFUND include small lending, combating poverty, and supporting economic and human development. AGFUND also supports the efforts of sustainable human development aimed at the most disadvantaged population groups of the developing countries, especially women and children, through supporting the efforts that strongly impact the development process. These efforts include enhancing levels of education, improving health, and supporting programs aimed at combating poverty. AGFUND works with the United Nations' organizations as well as international and regional organizations, the civil society, and other development organizations without any discrimination based on color, sex, belief, or political affiliation. AGFUND concentrated a number of poor people's banks in Yemen, Jordan, Bahrain, Syria, and Egypt.

Through these banks, AGFUND provides small and micro lending to individuals and households to enhance their living conditions. AGFUND also established the AGFUND international prize for human development and entrepreneurial projects in 1999. The objectives of the prize include enhancing exchange of expertise and developing better mechanisms to find solutions to poverty problems, marginalization, and social and economic distancing of the vulnerable groups.

1.1.2. Middle East Micro Credit Company ⁽¹²⁵⁾

The Middle East Micro Credit Company operates in economic development through small lending. One of the objectives of the company is to provide access to financial and banking services to people with small and medium businesses, while maintaining a focus on providing such services to women through increasing their opportunities to obtain loans for productive and service businesses. The Middle East Micro Credit Company seeks to develop local communities and inform local banks of the available opportunities of such communities through provision of bank services to such clients.

1.1.3. Near East Foundation ⁽¹²⁶⁾

The Near East Foundation has for almost one hundred years provided creative solutions for the challenges of social and economic development through combating poverty, provision of small lending, and development. The interventions of the Near East Foundation include the countries of the Middle East and North Africa especially Jordan, Sudan, Palestine, Egypt, and Morocco. The basis of the work of the Near East Foundation is the belief that individuals need opportunities and empowerment tools to play effective roles in developing their communities and countries. They also need knowledge to participate in the economic and civil life and a voice in the public decisions that affect their wellbeing.

124. www.agfund.org

125. www.chfhq.org

126. www.neareast.org

1.1.4. Caritas ⁽¹²⁷⁾

Caritas is involved in integrated and sustainable human development (health, economic, and social development) through combating poverty and providing small lending. Caritas uses diversified programs including health awareness, healthcare clinics, voluntary youth programs, school programs, loans to vocational schools' students, social programs for needy families, widows, orphans, elderly people, displaced people, delinquents and quasi delinquents, housing programs, accommodation for the displaced and poor, housing loans for the displaced and the disadvantaged. Caritas also has economic programs such as providing support to group development projects in agriculture, livestock, and production sectors through economic loans' programs and rural banks. Caritas works in a number of Arab countries such as Djibouti, Syria, Lebanon, and Mauritania.

1.1.5. Islamic Relief ⁽¹²⁸⁾

Islamic Relief supports sustainable economic and social development in 18 countries, including Sudan, Palestine, Egypt, Lebanon, Iraq, Jordan, and Somalia. Islamic Relief works with local communities on relief and development projects. The efforts of Islamic Relief are dedicated to reducing poverty and suffering of the poor people of the world, regardless of their sex, religion, or creed.

Islamic Relief provides small and individual loans. It conducts anti-poverty activities to realize economic development. Islamic Relief has (1) Murabaha [Islamic Shari'a compliant sales] programs that target men and women and owners of small income generating businesses, new and existing ones. Islamic Relief also provides advice on managing businesses to ensure continuity and success; (2) The qard hassan (good loan) program targets impoverished women, or the so-called social cases, owners of small income generating new and existing businesses. Qard hassan is interest free and does not include service fees. Islamic Relief finances agricultural, industrial, and service sectors.

1.2. International organizations

1.2.1 International Labor Organization (ILO)

ILO was founded in 1919. It is the United Nations' arm that supports social justice and human rights and international labor rights. It is a tripartite U.N. agency. The Arab countries are members of the ILO. The ILO's political commission is represented in the international labor conference, which convenes annually to set up international labor standards. There is also the executive council, which prepares the policies and programs and budget to be discussed in the ILO's annual conference. The bodies of ILO include representatives of workers and governments. The International Labor Office is the secretariat of the ILO. ILO has regional Arab office as well as regional offices all over the world. The regional Arab office of the ILO is in Beirut. It implements the programs of the ILO in the region and provides technical assistance to ILO members. ILO develops standards for basic labor rights and organizes international labor agreements (seven agreements were organized in the areas of chemicals in section 20104) and recommendations (work guidelines for countries) and codes of practice (technical and practical information to implement standards) as well as guideline booklets. ILO provides technical assistance, among other things, related to vocational health and safety in working in chemicals so as to support governments and workers and the organizations that represent them, and the non-governmental organizations that are involved in implementing and assessing programs and policies, in enhancing work environment and reduce work-related health hazards. The chemical safety activities include provision of technical assistance and advice to organizations and governments and workers to prevent major chemical accidents from happening, and define the risks resulting from chemicals and dangerous violations and control them.

127. www.caritas.org

128. www.islamic-relief.com

1.2.2. Food and Agriculture Organization of the United Nations ⁽¹²⁹⁾

The Food and Agriculture Organization of the United Nations, or FAO, is an international governmental organization that comprises 191 states in its membership as well as two affiliated countries and one organization, which is the European Union. To achieve food security for all is the key component of the efforts of the FAO in order to enable all human beings to obtain sufficient good quality food on a continuous basis so that they can enjoy a life of vitality and health. The mission of the FAO is to enhance nutritional levels and the productive capacities of farmers as well as improve the living conditions of rural areas dwellers and contribute to the world's economic growth.

FAO operates as a network that brings together areas of agriculture, forests, fisheries, livestock, nutrition, sociology, economy, and statistics. FAO also collects and analyzes data and disseminates them for serving development. FAO puts its rich experience at the disposal of its members to set up agricultural policies, support planning, prepare effective legislations, and set up state's necessary strategies to achieve the rural development objectives and reduce the impact of hunger.

FAO puts its large knowledge at test in thousands of field projects in different areas of the world. FAO raises funds of millions of dollars from industrial states and development banks and other sources to ensure success of projects and realization of objectives. FAO also provides the necessary technical assistance, and in rare cases limited amounts of financing. At times of crises, FAO works with the World Food Program and other humanitarian agencies to protect the livelihoods of rural areas and supports people in rebuilding their lives.

In a publication this year of the FAO titled "FAO at Work", the organization states "Today, if men and women had equal access to productive resources in agriculture, food output in developing countries would increase by between 2.5 and four percent – enough to pull 100-150 million people out of hunger."

1.2.3. UNRWA ⁽¹³⁰⁾

UNRWA provides health, education, social, and relief services to Palestinian refugees in the Occupied Palestinian Territories, Jordan, Lebanon, and Syria. UNRWA also provides loans, including individual loans, small loans, solidarity groups' loans, and housing loans. The small loans program aims to provide jobs and income generating opportunities to Palestinian refugees and residents through expanding and developing medium and small businesses. The program provides active capital loans and investment funds at commercial interest rates. It also gives credit to establishments in the formal and informal economic sectors, promotes manufacturing for export purposes to generate foreign currency income, promotes exchange of imports to enhance the trade balance, increases lending volume, expands the program to cover people who default on loan repayments, and promotes women's involvement in the economy. The program supports itself through the funds coming from its credit operations.

1.2.4. UNOPS ⁽¹³¹⁾

UNOPS seeks to provide a group of services in the area of economic development for the Arab countries in Africa such as Mauritania, Morocco, Algeria, Tunisia, Egypt, Libya, and Djibouti. The services include managing, designing, implementing, and monitoring projects. Also, design strategies to implement projects, build capacities for implementing projects, managing funds, monitoring loans and grants, developing local capacities, procurement processes for the benefit of the partners and professionals, and reviewing and approving procurement processes.

129. <http://www.fao.org>

130. United Nations Relief and Works Agency for Palestine Refugees in the Near East <http://www.unrwa.org>

131. United Nations Office for Project Services <http://www.unops.org>

1.2.5. ESCWA ⁽¹³²⁾

The Economic and Social Commission for Western Asia or ESCWA focuses on economic empowerment, human rights, gender, and combating gender-based violence, as well as motivating economic and social development processes of the countries in the region. This is conducted through strengthening cooperation among the countries of the region, interaction and exchange of experience, good practices and lessons learnt, and achieve regional integration between member states. Also, interaction between the Western Asia region and the rest of the world and inform the world of the conditions of the countries of the region and their needs.

1.2.6. IFC ⁽¹³³⁾

The International Finance Corporation is a member of the World Bank Group. It is an international investment and consultation body. IFC is committed to encouraging sustainable projects in developing countries who are IFC members. Such projects are characterized by being economically beneficial, financially and commercially sound, and environmentally and socially sustainable. IFC also focuses on economic development and combating poverty. IFC believes that sound economic development is the key to reducing the numbers of poor people because it is based on enhancing the spirit of initiating private businesses and successful investment in the private sector. IFC also believes that it is necessary to ensure a favorable businesses environment to advance the private sector. IFC's vision is "that people should have the opportunity to escape poverty and improve their lives."

2. Effectiveness of mechanisms in place

Laws, policies, programs of institutions and civil society, and networks are all considered mechanisms that are expected to contribute to women's economic empowerment and to have positive impact on women's situation wherever they are. Many mechanisms were counted at the countries of the region. We will focus on the mechanisms created in the countries included in the study (Jordan, Tunisia, Palestine, and Lebanon).

Hence, a number of examples will be presented about the networks and mechanisms that were set up, including those set up by the Center of Arab Women for Training and Research or CAWTAR. The mechanisms seek to support existing efforts and enhance achievement and acquirement of knowledge and information to advance in women's economic empowerment, especially that of rural women.

2.1. Mechanisms and networks at the regional and international levels

2.1.1. Arab Network for Gender and Development /@NGED

The Center of Arab Women for Training and Research (CAWTAR) founded the Arab Network for Gender and Development/@NGED ⁽¹³⁴⁾ in 2002 with support from the World Bank with the aim to enhance networking mechanisms and build networks between experts, lobbying groups, researchers, and the government agencies that are involved in cooperation and networking. @NGED has brought together 450 experts, independent members, and members of organizations, specialized in different areas in 22 Arab countries. @NGED communicates and exchanges information about issues of equality between men and women and relevant gender issues. @NGED members have benefited from the opportunities it provides for capacity building, taking part in training, research, awareness campaigns, and lobbying for change activities on regional and national levels, or representing CAWTAR in regional and international events. The development of

132. Economic and Social Commission for Western Asia <http://www.escwa.un.org>

133. International Finance Corporation www.ifc.org

134. Arab Network for Gender and Development/ @NGED

networks allowed for the creation of sub-networks specialized in the following areas (1) Media, women, and gender (2) Women and political participation (3) Gender-based violence (4) Women and development and local government (5) Women's economic empowerment.

2.1.2. Gender Economic Research and Policy Analysis/GERPA ⁽¹³⁵⁾

In 2006, CAWTAR prompted, with the support of the World Bank, a new initiative to encourage economic research on issues related to gender in the Middle East and North Africa and to enhance integration of equality between men and women in the area of economic research in the region. To this end, GERPA has decided on the following two strategies:

- ▶ Launch a competition to finance gender-based economic issues; and
- ▶ Organize annual international conferences of high levels of education.

Within a period of four years, 127 proposals have been registered. They were submitted by 205 economic researchers (male and female) from different universities and institutes in the Middle East and North Africa. The program has given 1.4 million dollars in grants to 52 gender-based economic research projects. The projects included 108 researchers, 15 projects conducted by more than one country; in addition to involving researchers from all over the region. Through this dynamism economics researchers, who are not specifically interested in women's issues, became involved in research that adopts the gender approach. It also made possible a comparative analysis of the key issues among countries.

Based on what has been achieved so far, researchers have benefited from the training provided by GERPA. This initiative has helped researchers to establish professional links with the best programs and universities of Europe and North America and to ensure the supervision of Arab and international economic experts of the highest levels of economic science including two Nobel Prize for economy winners. Together they created a consultation committee. The initiative also helped creating a committee of Arab economic scientists. The cooperation between the researchers enhanced gender awareness and knowledge about how to deal with economic researches and other researchers in other areas from a gender perspective. CAWTAR set up this initiative based on a vision of locating researches and studies within mechanisms to enhance women's situation in the region, which suffers poor store of knowledge and technicalities of economic science. CAWTAR also strongly believes that it is crucial to diagnose issues that require treatment from a gender perspective firstly in the area of policies at the macro level.

2.1.3. CAWTAR Gender Clearing House ⁽¹³⁶⁾

CAWTAR Clearing House on Gender is an initiative by CAWTAR with the support of the United Nations Population Fund (UNFPA), Arab Gulf Program for Development (AGFUND), and OXFAM. It is an electronic space of knowledge where the knowledge store of CAWTAR and partners (published or unpublished) is posted at different uploads. It provides accesses to the knowledge store of CAWTAR and partners to all those who are involved in gender issues whether they are researchers or workers or students. The website includes the data of CAWTAR and its links and projects as well as different documents produced by CAWTAR and partners of local, regional, and international organizations and research centers. The documents comprise issues related to gender, women, and Arab adolescence, and their relationship with legislations, environment, economic, health, and political participation, reproductive health, gender-based violence, combating poverty, media, and information technology.

135. Gender Economic Research and Policy Analysis/ GERPA

135. www.genderclearinghouse.org

The added value of the Clearing House on Gender is that it allows permanent room for the members of @NGED and other stakeholders (organizations and experts) to post their store of knowledge and benefit from the documents, researches, reports, and working papers of workshops and symposiums and meetings arranged within the framework of their programs. The long term objective is to reduce the knowledge gap in the situation of Arab women especially for international organizations, and to create a joint Arab knowledge arena to be referred to in setting up policies, programs, and interventions as well as research and study. The Clearing House on Gender contains a number of CAWTAR's components such as the @NGED member news, which is allocated for the latest news on workshops, training, and symposiums organized by @NGED network members. There is also the CAWTAR news component, which contains news about latest activities and programs. The CAWTAR's directories component contains introductions to the latest publications by CAWTAR's partners and a space for exchange of expertise on a number of topics related to CAWTAR's work. CAWTAR allows the visitors of its website to contact it through frequently asked questions or email. Through the Regional Economic Empowerment of Women Project (REEWP), which is supported by OXFAM, CAWTAR has launched work on gender, contributing 80 studies on gender, documentaries, a database on combating poverty, a selected bibliography on relevant topics, and a directory on government agencies and non-governmental organizations involved in combating poverty. In order to be able to obtain more information on women's economic empowerment in the Arab countries, CAWTAR and its two partners AGFUND and OXFAM, decided to assign focal points in a number of Arab countries, including Jordan, Palestine, Lebanon, Mauritania, Egypt, Morocco, Sudan, Yemen, Iraq, and Bahrain.

2.1.4. Inter-Agency Task Force on Rural Women

The 10th cycle of the Inter-Agency Network on Women and Gender Equality/IANWGE established the Inter-Agency Task Force on Rural Women for one year. The task force provided strategic orientation to the relevant processes and organization of the United Nations in order to achieve the millennium development goals in the rural areas with special focus on rural women. The Inter-Agency Task Force on Rural Women worked in coordination with the Food and Agriculture Organization of the United Nations (FAO) and the World Food Program and the International Fund for Agricultural Development to prepare for the first topic of the Commission on the Status of Women, which was held between February 29 and March 9, 2012. The task force also defined a number of points of strength and integration between each member agency to combat the different challenges facing rural women. The points include education, training, information, access to productive resources, assets, services and infrastructure, food security, social protection, decent work, markets, climate change, policies favorable environments, and equal participation of rural women in decision making. The work of the task force will feed into the Rio+20 - United Nations Conference on Sustainable Development and the Millennium Development Goals 2015 Summit. It also assists in defining new objectives and indicators beyond 2015 that consider the situation of rural women. It is expected that this process will enhance the ways that will enable the United Nations to deal with gender inequality and discrimination in rural areas.

3. Analysis of challenges

The above is not just a listing of organizations operating in the area of women's economic development; it is rather to show the extent to which the mechanisms, laws, policies, procedures, and structures are effective in achieving desired objectives. The analysis process is complex since the issue at hand is also complex both from an economic perspective as well as from the gender and legal perspectives (see section on policies and globalization). Obviously, the mechanisms that had been set up helped in implementing and realizing some kind of change, though modest, especially with respect to the situation of rural women.

The achievements are below the level of requirements and aspirations:

- The design of the general employment services in the region failed to reduce the gap between supply and demand in the labor market. The services are affected by a lack in financing and staffing, insufficient reference documents, inefficient division of office networks, and the limited extent of the Active Labor Market Programmes and Policies/ALMPs.
- The salaries and pension systems still require additional efforts in the region. They only apply to [public sector employees] despite the improvement in staff benefits of the private sector in some countries.
- It is true that the region spends on the social security systems more than other regions; however, the expenses spent are undefined grants and some groups of the society are not included in them.
- Other social assistance programs lack financial and human resources in coverage and targeting.
- There is a small number of Arab countries that started to incorporate migration in the poverty combating and human development strategies.

In the aftermath of the Arab Spring, the focus is on a number of issues such as:

- High unemployment rates among the young graduates;
- The informal sector;
- The fact that social security systems are unsustainable and the security systems are unbalanced and costly.
- The demands of the Arab Spring are focused on achieving:
- More transparency and accountability;
- More freedom and less control by the state, which requires a different role of the state in providing services (greater role for the NGOs, or the third sector);
- More information and data are produced and more access to them is provided;
- Involve all stakeholders in the society dialogue, including the unemployed, the youth, and the informal sector workers;
- Intensify efforts to combat poverty and vulnerability especially in remote areas.

In conclusion, it was noticed that the relevant institutions, if available, work individually without coordination or strengthening of a sector, professional, and societal culture. These institutions mainly focus on outcomes in the area of services provided to target groups such as the most vulnerable, including women. In most cases the work of these institutions – whether they are part of the public or private sectors, regional or international – is concentrated on implementing programs to realize their own achievements.

4. Situation and tangible challenges

4.1 Situational reality

The analysis of the above data, though limited, and the available information of the official state documents (such as the international and regional reports of the MDGs, Beijing, Cairo, CEDAW) show that the general causes of poverty, women's unemployment, and discrimination against women in the private and public sectors are basically due to lack of women's participation in the economic activities and lack of women's empowerment in the whole sense, which can be referred to the following:

- Lack of political stability, changes that foster a patriarchal structure or the surfacing of extreme movements worsen the difficulties and economic challenges, including unemployment among the youth and accusing women of taking jobs hence causing unemployment among men and young males. Such accusation is not only not based on facts, but moreover it can be proven untrue since the rate of women's participation in the labor market is not even sufficient to reduce unemployment rates, in addition to that the scope of women's economic participation is limited by laws and other factors .. regardless of women's education.
- The continuous impact of the economic crisis, among other factors, increases women's poverty.
- High concentration of women in the informal and rural sectors, and general lack of accessible financial resources.
- Reduction of 5% in the economic participation of women in non-agricultural sectors in the less developed Arab countries between 1990 and 2004. The rate of women who receive salaries in the region registered 18.3 percent of the total number of people earning salaries in the industrial and services sectors in 2004.
- Lack of opportunities to obtain credit, and insufficient number of financial institutions that finance small businesses. Even when such institutions are available, the small credit programs and projects that are implemented for a number of reasons, including poverty reduction, are beneficiary to fulfill the immediate needs of households, but do not lead to economic empowerment of women or a comprehensive improvement of their situation.
- Most activities, projects, and small businesses of women are focused on traditional jobs such as sewing, embroidery, and selling food products, with only limited capacity to seek new outlets or expand available opportunities.
- The above leads to poverty and economic weakness of women in having the resources required for a new and successful launch of planned activities.
- Limited organizational capacities and lack of capacities on behalf of the civil society in managing projects, and low participation in social and professional structures.
- Difficulties in making use of savings and enhancing distribution of resources.
- Limited investment in agriculture where women would have roles in enhancing food security at household level. Women's contribution to food security is unrecognized in societies or countries.

In addition to the above-mentioned common characteristics among the Arab countries, whether directly or indirectly involved in the study, there are recent developments that occurred after 2010 in the region that may further complicate women's situation, rights, and contributions to all areas. The situation today does not make it easy to answer many questions about the impact of the revolutions and political changes and economic developments on the interim situations in Tunisia and other countries and on the future priorities and values they will produce.

4.2 Perceptions of right holders and duty bearers at the country level

4.2.1 Definition of economic empowerment

A number of female respondents link between economic empowerment and obtaining jobs. Siham, a peasant from Nabeul governorate in Tunisia said, "Women's empowerment requires work. Women can express themselves through their businesses. No one may take our jobs from us." Nada, a peasant also from Nabeul governorate in Tunisia said, "Women become independent when they work. Women can do whatever they want with their money. It is a different issue when one has or does not have money." These two statements show that empowerment is limited to vocational activity, providing an income, and developing independence.

Women in Lebanon confirmed the above by saying that it was necessary for “Women to have steady income and career.” Amna Alrimawe from the Palestinian General Federation of Trade Unions said, “The concept of economic empowerment of women requires creation of decent job opportunities that enable women to lead a decent life. From our perspective, work opportunities are tantamount to economic independence of women; they [work opportunities] enhance women’s status socially and legally and from a women’s rights perspective.”

Other women link economic empowerment to decision making and having access and control over resources. A woman from Jordan said, “Economic empowerment means that I can decide for myself, work and have a salary – monthly income – which I can do whatever I want with ... I am paying for my son’s education.” Reem Abboushi, the executive director of the Palestinian Businesswomen’s Association (Asala) says that, “Empowerment includes opportunities to access resources, land ownership, and loans. It is for women to have the opportunity to access these resources or work opportunities. Economic empowerment is not just having an income at the end of the month; it is not just to have a job. It is to have step by step access to decision making and to control the projects you run.”

4.2.2 Legislations

According to interviews with respondents in the rapid assessments, the legal obstacles and loopholes include lack of compliance with enforcing the law. In Jordan, 70 percent of participants of stakeholders and representatives of economic empowerment agencies said that the unfair treatment of women and their deprivation of many human and economic rights were not due to the law to the extent they were due to lack of compliance with enforcing it. The lack of enforcement is due to social and cultural factors where overcoming them constitute a major challenge in the face of enforcing Jordanian legislations. “The practical aspect and the society’s culture are the problems. Law does not differentiate between men and women. The issue is more cultural than legal. The law does not stop women from owning [property] or inherit or work. The law is not the problem, the problem is with individuals,” according to an officer at a women’s organization. “Our problem is not with our systems, our laws, or our constitution; the problem is with making things personal,” added a woman at a leading public sector job.

Zahra, a rural businesswoman from Manouba governorate in Tunisia said, “Laws are insufficient to protect women since not all women demand their rights. There are women who are beaten, but do not complain. The social environment does not encourage women to demand their rights. Hence, not many women dare to penetrate economic life. For example, only a small number of women sells and buys sheep at the sheep market, despite there being nothing that stops women from doing so.”

According to beneficiary women in Lebanon, “Social security stops when a person turns 64. There is no security for old age. A woman guarantees her husband if he were disabled or has a chronic disease. The social security workers inspect the claims to make sure everything is accurate. A man automatically guarantees his unemployed wife. Women have no right to give their nationalities to their children, which is unfair. We have friends who suffer from this in residence and employment.”

Fatima Al Mo’aqat, who works for the Nafaqa Fund in Palestine said, “Many draft laws consider international agreements. The laws in effect have many loopholes and legal issues. The labor law requires executive committees who follow up and monitor the enforcement of this law because it is a vital law. Enforcement of laws requires competencies and financial resources as well as political will.” Noticeably, women do not have sufficient knowledge of the laws related to economic life. In

Lebanon, for example, 80 percent of women who benefit from programs, 100 percent of women who do not benefit from programs, 88 percent of service providers, and 100 percent of young women do not know about the laws that regulate economic empowerment such as the labor and social security laws. On the other hand, 20 percent of women who benefit from programs, 12 percent of female service providers, and 100 percent of male service providers know about the laws in details. They consider them unfair hindrances to the development of women and their access to decision making positions.

4.2.3 Policies and programs

The level of knowledge and assessment of programs and policies that are directed towards economic empowerment varied among social groups and countries. They are summarized below.

4.2.3.1. Jordan

All respondents (100 percent) in the sample of stakeholders and representatives of women's economic empowerment confirmed the importance of the role their public and private agencies play in increasing the contribution of women in economic activities and strengthening their economic empowerment. The mechanisms, services, programs, and development projects at such agencies are believed by respondents to have provided open opportunity and qualitative addition to the process of women's economic empowerment.

Unemployed respondents, who frequently visit the charitable society for financial aid, are all (100 percent) aware of the vocational training programs and services of the society as well as the education and awareness and lending services. However, there are justifications for weak participation on behalf of the respondents in the programs and services, which have helped women in finding jobs or starting businesses. Justifications, as indicated in Figure 6, include cultural factors such as a husbands' disapproval – despite being impoverished and the households' desperate need for a financial source that can be provided by the wives. The rate of respondents who expressed strong willingness to benefit from the society's programs and services is 50 percent. One of the respondents whose husband does not have a steady job and her education is better than his, and who is often beaten by him said, "I registered for a cooking training course but he [the husband] said no. He said that I wouldn't be able to handle the kids and have a job at the same time. I could not convince him. He just wants to control me. He is afraid that I might learn something and leave him. My parents tell me to leave him and the children and live with them. I have five children; they are my weakness." Another respondent said, "The problem is my husband; he does not want me to work. I don't know if it's jealousy or if he is erratic. He says it costs money to take a course and that he couldn't afford it." Thirty percent of the respondents said they couldn't benefit from the programs and services for medical reasons such as brittle bone disease and hypertension. A respondent in this category said, "I bought vegetables from the market [to sell] but couldn't move [due to illness] and the vegetables went bad." Twenty percent of the respondents said that the courses were fully booked and that they were waiting for opportunities in future training courses. One respondent said, "I want to learn tailoring. I need to take a training course in tailoring. I have applied for this and have been waiting for a long time." There is a lot of demand on the financial and non-financial training programs and they are soon booked; additionally, many local institutions have limited capabilities.

All male respondents (100 percent) are aware of the vocational training courses, educational and awareness raising courses, and lending services that their wives or sisters have benefited from. They are also aware of private lending organizations that target women. On the other hand, zero percent of female and male university students are aware of the programs and services that aim to empower women economically.

4.2.3.2. Lebanon

One hundred percent of the male and female respondents and male and female service providers have participated in or heard about vocational training programs. Also, 80 percent of the women who are not benefiting from programs, and 40 percent of women who are benefiting from the programs, have participated or heard about vocational training programs. The respondents mentioned a number of such vocational training programs, including beautification, makeup, computers, languages, handcrafting, and combating illiteracy. The microfinance programs, which are implemented by specialized societies, come in the second place at 40 percent for benefiting women and 100 percent of female and male service providers. Finally, 20 percent of the women benefit from cultural programs that seek to establish and manage small businesses.

Noticeably, most of the trainings provided to women are limited to technical or handcrafting skills that would allow women to work at home, or at times when the family is outside and the women are alone at home. Hence the women's work "would be during the break that separates the time allocated for home and the time allocated for the family since women's work is not main; it is just a supplementary component," as described by female respondents. This could be due to the social obstacles, which were described by one of the respondents as follows, "Women are still put in specific molds and within the framework of specific jobs that they may not want to be there." Consequently, restricting women to social roles of reproduction and caretaking has major impact on women's political and economic participation as well as their participation at the decision making level.

4.2.3.3. Palestine

The level of knowledge among respondents of programs and policies that are directed towards economic empowerment varied and stood at approximately 100 percent for the service providers, 90 percent for benefiting women, 70 percent for men and 40 percent for women who are not benefiting from the programs and the young males and females.

Unemployed young female and male respondents from urban and rural areas said, "We know little about policies. However, looking at the ongoing projects, the answer is yes, or no depending on individual cases. (Examples include grants to women to start businesses and provision of necessary support of monitoring and training). The efforts of women decide their success in obtaining and controlling resources. Women continue to lack financial opportunities to start a business, access the market, and change the infrastructure and tools. Many projects spend millions of dollars without causing any change when projects are not suitable for the needs of women or villages."

Ameen Asee, Ministry of Women's Affairs said, "The economic and social policies of the Authority [Palestinian Authority] are male-oriented and set up by men. Projects do not serve women directly since they were set up by men in the first place. We have laws that give women the right to work without being discriminated against; however, there is no clear implementation of these laws. We need to implement the laws since there are women who do not file complaints because of cultural reasons. Fear reduces implementation of laws. There are other policies set up by the Council of Ministers such as allocating budget for gender work. This budget allocation constitutes a sensitive issue, but has the backing of the President and the Prime Minister who support women and their freedoms and their work in economic, social, and political areas. Legislations stipulated the creation of women's committees. Ministries seek to recruit unemployed women and reduce women's poverty. The Ministry of Women's Affairs coordinates with stakeholders and discusses policies with other ministries such as the ministry of Labor."

4.2.4. Mechanisms

Most respondents in the different countries had no sufficient knowledge of the special mechanisms of women's economic empowerment. They also gave negative assessment to the national mechanisms in this area.

4.2.4.1. Jordan

Participants in the focus group discussions include women who benefit from the vocational training courses and lending programs, women who benefit from the vocational training courses [only], unemployed women, men who benefit from vocational training courses, and university students (males and females) who have no idea about the organizations that are concerned with the economic empowerment of women. They also have no idea about the national mechanisms with impact on women's economic empowerment. Consequently, education and sex do not have any influence on the knowledge or benefiting from the vocational training courses or the policies that seek to achieve economic empowerment of women. However, the focus group agrees that the Ministry of Social Development provides national support.

4.2.4.2. Lebanon

One hundred percent of women who benefit from economic empowerment programs as well as women who do not benefit from such programs, and male and female youth do not know about the state's policies and mechanisms aimed at women's economic empowerment. However, they know about non-governmental organizations that conduct women's economic empowerment programs. Fifty percent of men and fifty percent of women involved in service provision said that there were no state's policies for economic empowerment of women: "states have no policies and nothing encourages women [empowerment]". Fifty percent of the men's group said that the public policies comprise all citizens "decisions are applied to everyone, no discrimination based on sex; however, the utilization of such decisions is up to the society." Moreover, 100 percent of the group of female service providers said that the development centers of the Ministry of Social Affairs, which constitute state's policies, were insufficient since "there is no integrated policy that applies to all of the development centers."

4.2.4.3. Tunisia

A number of respondents are unsatisfied with the government's performance in the area of economic empowerment in general and its performance in the area of economic empowerment of rural women in particular. Munira, a handicraft specialist from Zaghouan governorate in Tunisia said, "I have only heard about the Ministry of Women from television. I wonder what its role is and what it has given to rural women." Other respondents said they were not satisfied with the intervention of the development organizations and their performance in supporting entrepreneurs. Salha, a handicraft specialist from Jendouba governorate in Tunisia said, "A number of businesses failed because beneficiaries made the wrong choice of business. Societies do not provide sufficient monitoring. I have encountered difficulties in the bee keeping business I had and couldn't find technical support. A lot of money was wasted for making the wrong choices such as the case of breeding the wrong type of goats." Nada, a peasant from Nabeul governorate said, "I faced many difficulties in planting olives. I had to hire an agricultural engineer to help due to lack of agricultural advisors in my area. I haven't received technical assistance from the farming department."

4.2.5. Challenges

Respondents from the four countries included in the study described the obstacles in the face of economic empowerment of women. The obstacles can be placed in four key areas, including socio-cultural, legal, political, and economic obstacles. The following includes the respondents' answers.

4.2.5.1. Jordan

▶ Political obstacles

- Lack of implementation and activation of the policies and mechanisms of economic empowerment of women in Jordan. "There is political will [for economic empowerment of women] and at the level of vision and high policies and plans. However, at the lower levels there is a problem with implementation," according to a woman in a leading public sector position.
- Lack of political participation on behalf of women. A woman in a leading public sector position said, "Political empowerment affects economic empowerment. For better economic empowerment women must have better participation in decision making and policy making." Men failed to understand the requirements and priorities of women when they monopolized the decision making positions that affected women's issues. "When the projects are headed and implemented by men, they wouldn't know the real needs and requirements of women," according to a woman in a leading public sector position.

▶ Legal obstacles

- Legislations lack effective monitoring and accountability mechanisms. "We have frozen laws, including the constitution. These laws are in favor of women but they are frozen. These laws are not enforced. This influences projects, too," according to an officer at a lending institution.
- Loopholes in legislations: These legislations include the social services system and the labor law, which does comprise articles preventing discrimination against women at the workplace.

▶ Socio-cultural obstacles

According to the participants of the study, the socio-cultural obstacles are the most prominent obstacles in the process of economic empowerment of women due to the male dominant culture of the society and its destructive traditions and customs. There are many practices and views that are still deep rooted in local mentalities; they hinder women's empowerment. The impact of socio-cultural obstacles varies from one environment or household to another. Examples include:

- Cultural factors constitute the biggest challenge in the face of enforcing Jordanian legislations. "The practical aspect and the society's culture are the problems. Law does not differentiate between men and women. The issue is more cultural than legal. The law does not stop women from owning [property] or inherit or work," according to an officer at a women's organization.
- "The taboo culture and the way the society looks at women's work in some sectors," according to an officer at a women's organization.
- Strong belief among most male participants in the men's group that a woman's world should be limited to the house. A man said, "Women have their respect and rights at home. If I can afford it, I will keep [the woman] at home and pamper her without her having to do anything." Another man said, "I can't stop my wife from working at home! She can have a [sewing] machine and work at home to help her husband." This statement shows that men approve of women's work as long as it is at home, not outside, and that the purpose of the work is to help the husband, which is considered an inherited division of work based on gender.
- The stereotyped image of women in the dominant culture is that they are feeble and cannot have control or take decisions. According to an officer at a lending organization, "Even if women own [property] in their names, they can't control it because they are women. The husband, son, brother, or father has control because they think that women cannot take decisions. The thing that hinders women most in owning businesses is [that they lack] the freedom of movement especially at the governorates where communities are small and do not like women to travel a lot without a male companion. This is because of the culture of the society and fear of reaction. Hence, half of the society is quasi-paralyzed."

4.2.5.2. Lebanon

The respondents described the difficulties women's economic empowerment faces from their experiences and living conditions. They divided the difficulties along four key areas including the social, economic, legal, and political/security levels.

► **Obstacles at the Social level**

According to women, the difficulties at the social level include the interventions by families, including brothers, who reject the idea of women's work. The husband may also reject the idea that his wife goes to work. Many women do not have economic perspectives. Women are still put in specific molds and within the framework of specific jobs. The physical and psychological pressure of work is counted to the social level obstacles. Women come home to find an additional burden [of chores]. Women who work outside the home have 3 to 4 jobs and they work from 6 in the morning to 9 in the evening.

According to men, concepts of masculinity dominate the overall character of the Lebanese society. Men stand in the face of women. Laws do not stop women from [obtaining economic empowerment]. There are jobs that require physical power and being outside the house; not all men approve of that. This restricts women's financial and vocational development. Motherhood duties cannot be conducted by someone else, which constitutes an obstacle [in the face of women's development]. The society exploits women, and women are not protected from such exploitation. Rural women suffer from the customs and traditions of the rural areas that stop them from working outside their communities. Moreover, rural women are unaware of their civic roles. Customs and traditions have precedence over laws in elections, nominations to municipal council positions, and working outside the village.

According to female service providers, women cannot work outside their homes because of the family burdens at home. There are women who join training courses and start businesses without informing their husbands or families.

According to male service providers, there are no social level obstacles. Female youth stated that some villages consider women's work a taboo. At cities, it is normal for women to work. There is a difference between the village and the city. Rural societies are closed and priority for women is to work at home. Male youth said that people and the state have no confidence in women, and that women are generally regarded as being unreliable in fulfilling their commitments.

► **Economic Challenges**

Challenges at the economic level, according to women, include loans that require guarantees such as a salary or other guarantees. The loans provided by institutions are insufficient; they may help in saving some money, but they cannot generate work. Women's designated work is tiresome. Jobs may provide smaller income but they provide a certain level of economic security which cannot be guaranteed through self-employment or running one's own business.

Working outside the home is an additional burden for women. There are financial difficulties. Economic development is hardly moving. A husband would become dependent on a more productive wife instead of becoming more productive himself.

While men do not see any challenges at the economic level, female service providers see the man's income as the main source of income, and the woman's salary as a supplementary income. Neither female, nor male youth perceive any challenges at the economic level.

► Legal challenges

Women believe that the laws are of no relevance for anyone, and are not in their favor or the men's or children's favor. According to the women respondents, all their children have already migrated and are living abroad. At the same time, men do not see any difficulties at the legal level. Female service providers hold the view that the laws treat women unfairly, and so do male service providers. Respondents from among female youth do not see any rights achieved for women at the legal level, while male youth do not see any challenges at the legal level.

► Political/ security challenges

Women do not perceive challenges at the political/ security level, while men believe that political will plays a key role in developing women's situation. The women's quota has not been approved yet. The security situation is unstable.

Neither female, nor male service providers see challenges related to the political/ security situation. At the same time, male service providers do not see any economic policies for men or women implemented.

Female youth do not see challenges related to the political/ security situation. Male youth think that political will is behind women's incapacity to access leading positions; otherwise, women would have reached high posts.

4.2.5.3. Tunisia

► Unemployment

Unemployment restricts the male and female youth from becoming independent. Mariam, an unemployed woman from Manouba governorate said, "I am too tired from unemployment. I feel the hard work at the university was useless." Wafa'a, another unemployed woman from Manouba governorate said, "I feel incapacitated without work. I am not happy that I am dependent on my family." A number of male and female respondents blamed the difficulties women face in economic integration on social and cultural factors such as family refusal that women commute to another area for work.

Family control over women reduces their chances of economic integration compared to women who are more independent in taking decisions concerning their professional lives. Rafika, an unemployed woman from Manouba governorate says, "I have a license in design. I want to work because I am not used to staying at home. I have been offered jobs at places away from my place of residence. My father says absolutely no to me working outside my area. He gives me money to spend so that I won't go work away from my area. My acceptance [of this situation] is not based on free will." This statement confirms that male dominance and patriarchal culture are still in control of the lives of women.

► Differentiating between women's and men's jobs

Some respondents described the difficulties women face in becoming active in sectors that are traditionally considered the domain of men, such as engineering, for reasons related, among others, to customs that prevent women from working at night and traveling.

Sumaya, an unemployed lady and activist in Tala Solidarity Society from Kasserine governorate in Tunisia said, "Women have the capacities to prove themselves. However, there are many obstacles in their way. I am majored in architecture, which makes me face major difficulties since my major is considered a men's major. My job applications are often refused because I am a female architect who is considered unable to be in the field and lead groups of male laborers."

► **Wage differences between men and women**

Among the most prominent statements of the respondents, especially among rural respondents, were those on wage discrimination between men and women. Munira from Zaghouan governorate in Tunisia said, "A man's daily wage in farming is 10 to 12 dinars, whereas a woman's daily wage is 7 dinars although we do the same work. This is unfair."

Hafitha from Nabeul governorate in Tunisia said, "Before the revolution and registration of farming laborers I used to get 140 dinars a month, whereas a male farming laborer would get 250 dinars. We worked under harsh conditions and did not have paid holidays. Now things are better. Men and women get equal pay."

► **Violations by the private sector**

Unemployed respondents, who have previously worked, confirmed the violations that the employees of the private sector are subjected to, including the work conditions, office hours, wage, etc. Many respondents demanded strict monitoring of employers in order to safeguard the rights of the employees, especially in the early days of employment.

Wafa'a, an unemployed woman from Manouba governorate in Tunisia said, "I have suffered a lot for a year at an accounting office. First, learning the business was like theft. There were no regulations. I was exploited by the employer who demanded that I worked harder, but without compensation. The wage was not sufficient to pay for my daily expenses. Therefore, I decided to leave the job. I demand that the state agencies monitor the employers. Economic rights do not only mean work, but also monitoring the way employers treat employees. I demand work inspectors to talk to employees when they conduct visits in the absence of the employer."

4.2.5.4. Palestine

The answers of the respondents were divided along three key areas. According to respondents, the social and cultural obstacles constitute 50 percent. These are followed by geographic obstacles (distance from the labor market) and the obstacles related to lack of programs and services at 25 percent each.

According to respondents (unemployed male and female youth), "Customs and traditions restrict women's access to the labor market, or to having their own businesses, or to investment opportunities. Rural women suffer from their families' interventions in the choices they make regarding the type of education they would like to pursue. This is especially true when their choice falls on a field of work that is not in line with general perceptions of "women's" work, such as teaching and health, or when the field of work requires more involvement in the society.

Many projects that target rural women place them, even if they were educated, in manufacturing rural products. Working places are concentrated in cities; they are geographically distanced from rural women's places of residence due to lack of means of transport.

Female entrepreneurs face the same problems, in addition to having difficulties in accessing the official market outside the village limits. Vocational training programs are almost restricted to cities, which constitutes another obstacle. And the vocational training programs usually repeat the same topics that lack quality and inventive approaches. Training while studying at university is also centered in cities; villages lack any training opportunities. Universities do not assist students in networking with institutions and companies for training opportunities. Training is a precondition for graduation in a limited number of majors and students therefore seek training opportunities by themselves. In any case, the Palestinian rural community is more open to girls' education and work."

Beneficiaries from lending projects said, "The rural market is limited. There is social pressure, transport difficulties, and lack of services in rural areas."

**National Legislations, Policies, and Mechanisms of Impact on
Women's Economic Empowerment In the Arab Region**

Case study in

Jordan, Lebanon, Palestine, and Tunisia

**Part Three:
Diagnosis**

Part Three: Diagnosis

Part One and Part Two assessed the national initiatives, the achievements, and international commitments by the countries with regards to equality between men and women in the public and private domains (Part One), and with regards to the economic rights and women's empowerment (Part Two). Part Three presents a summary, assessment, and analysis of findings of the desk review study at the levels of women's rights and equality between men and women, women's economic rights and empowerment, and challenges and obstacles in the path of achieving women's empowerment, especially economic empowerment.

Legislation is the mirror of the society; the legal system is a reflection of a society's political, social, and economic structures. Hence, the composition of the legislations and laws and systems – articles and provisions – define the roles of men and women within the family and in society. They often reflect what the leadership and people want; they are means of ideological expression. This part, which is allocated for comparative diagnosis between the two levels, will identify:

- The efforts of the states to invest directly and/or indirectly in policies, legislation, and the fiscal procedures that are put in place to achieve equality between men and women and to eliminate all forms of discrimination against women.
- Restrictions or limits, even if they were temporary, enforced by a law, policy, practice, tradition, or any other means that prevent women from enjoying their human rights.
- Whether the international and regional commitments of the countries support each other or not and contribute to realization of women's human rights and equality between men and women: If yes, then how; and if no, then why.
- What are the priorities that can be proposed for discussion by the main intervention parties in the relevant countries, including civil society organizations (non-governmental organizations, development and women organizations, chambers of commerce, media, members of parliament, trade organizations, etc.) and other partners (donors) in order to conduct legislative or institutional reforms?

I. NON-DISCRIMINATION, WOMEN'S RIGHTS and GENDER EQUALITY: ACHIEVEMENTS and ADVANCEMENTS

1. National efforts and investments

1.1 Jordan

1.1.1 Political will

The Jordanian government's programs endorse the economic rights of women and their empowerment through national strategies, initiatives, and policies, such as the national strategy to combat poverty. The implementation of these programs, initiatives and policies takes place through national mechanisms and institutions, and take into account a gender perspective. To ensure the integration of gender, budgets are allocated for this purpose to ministries and other state institutions concerned with women's empowerment and as is stipulated in international conventions and agreements. The government has enhanced women's participation through appointing women in the executive authority and in the Jordanian House of Senate, appointing the first woman governor, and increasing women's quantitative and qualitative participation in the judiciary.

1.1.2. Legislations and laws to eliminate discrimination against women and to realize equality and empowerment

Part One discusses women's situation and equality between men and women in the private and the public domains. The discussion is based on international agreements and commitments as well as the 1952 constitution of Jordan. A number of laws and provisions were analyzed; they enhance equality between citizens without discrimination and enhance women's human rights in public life. Women's participation was improved through amending the General Elections Law in 2003 by adding a new text that allocates 6 seats for women in the Jordanian House of Representatives. The same law was amended again in 2010, and the number of seats allocated for women in the House of Representatives was increased to 12 in addition to the women who win in the elections through direct competition. However, the law still requires further amendment to ensure at least 30 percent participation rate for women, and the vote calculation method needs to be amended.

Women participated in the municipal councils through elections in 1995 and through the appointment of 99 women in municipal and village councils. According to the amendment of the Law of Municipalities, voting age was reduced to 18. Moreover, 20 percent of the seats were allocated for women, which mean that women secure at least 20 percent representation in municipal councils and they can compete with men. The women's representation in municipal councils reached 25 percent in 2007, which was the biggest achievement of women in Jordan in competitive elections ⁽¹³⁷⁾.

The provisions of the Jordanian Passports Law number 5 of 2003 dropped the condition that required women to obtain the consent of their male guardian or the husbands to apply for a passport. The law also gives authority to the minister of interior in humanitarian cases, with the approval of the prime minister, to issue a regular passport of an expiry date of no more than five renewable years to the children of Jordanian women.

According to the amendment of the Civil Status Law number 9 of 2001, Jordanian women whether divorced, widowed, or married to a non-Jordanian can obtain a separate family registration book. In the event of the demise of the father, his loss of his Jordanian citizenship, his abandonment of such citizenship, or being missing, or absent from Jordan, the Jordanian wife shall be considered the head of the household in accordance with the Civil Status Law. Jordan also regulated the Citizenship Law with regard to selection of citizenship after marriage.

135. National Report of the Hashemite Kingdom of Jordan, Beijing 15+, p. 73

Many amendments were introduced to the Jordanian Personal Status Law through Law number 82 of 2011 such as increasing the marriage age to 18 years for males and females. However, the law allows a judge to join in matrimony those who are between the age of 15 and 18, which leads, in some cases, to expanding marriage contracts to encompass those who fail to qualify. The law also demands that a judge, in the event of polygamy, ensures that the man is financially capable of supporting more than one wife and that all women involved must be informed. The provisions of judicial khula (when a woman initiates a divorce) were also been added to the law, and the women's right to have custody of the children until they reach the age of 18. The law on Nafaqah Lending (Nafaqah is the financial support a husband must provide for his wife or wives) was also ratified.

Jordan has taken legislative measures to protect women from violence. Article 208 of the amended Penal Code number 49 of 2007 includes, as punishable acts, the causing of pain or torture for any reason based on any type of discrimination. The Provisional Penal Code number 8 of 2010 included a provision that ended leniency in honor killing. The legislator made the punishment against rape, kidnapping, sexual assaults, acts of indecency, and other crimes of sexual violations severer.

Law against Human Trafficking number 9 of 2009 was enacted in Jordan. The law is in line with the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children of 2000. The Law on Protection against Domestic Violence number 6 of 2008 was enacted in Jordan making Jordan the first country to enact such law, which was in line with international agreements. Among the contributions that ensure women's human rights upon enforcement of laws is the stipulation of the Enforcement Law of 2007, which prohibits incarceration of pregnant women until after three months of childbirth. The law also prohibits incarceration of mothers of infants until the infant turns two. The Correctional and Rehabilitation Centers Law number 9 of 2004 stipulates that pregnant incarcerated women must be treated in accordance with medical instructions.

1.1.3. Regional and international commitments to end discrimination against women and support achievement of equality

The above achievements have been made since Jordan is concerned with human rights in general and women's rights in particular. The achievements are consistent with the international conventions that Jordan has endorsed such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Despite the positive step of endorsing CEDAW, and ensuring women's integration in all areas and that all legislations prohibit discrimination, the Jordanian reservations against CEDAW (Article 9 (paragraph 2) and Article 16 (paragraph c)) have negative impact on eliminating discrimination against women, especially, citizenship and a number of personal status issues.

Jordan still needs to take the necessary measures with respect to migrant labor force such as endorsing the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which is necessary to draft legislations that ensure protection of migrant workers and safeguarding their human rights, whether they are domestic workers or work at industrial areas or anywhere else.

Despite granting women their rights to vote and to run for elections in all representational bodies, and allocating a number of seats for women in such bodies, the rights of women as citizens are still tied since women cannot give their nationality to their children when they marry non-Jordanians, which is a violation of the CEDAW.

1.2. Tunisia

1.2.1. Political will

Political will in Tunisia can be summarized in two phases. The first phase expands from independence when the society and its members' relationships were designed through the personal status law until adopting the first constitution of the republic. The second phase comprises unclear principles of equality even that they are included in the draft of the future constitution, which fluctuates between complementarity and equality.

The review of the legal provisions of the Tunisian legislations shows that they appear to be modern, and that they strengthen equality between men and women. This makes the Tunisian legislations one of the most developed Arab legislations. However, in reality the Tunisian legislations clash with the big difference between the perceptions, which supposedly were to be achieved through the legal provisions of the Tunisian legislations that were mentioned above, and the reality in which women live in situations that lack the basics of economic and political participation and suffer gender violence.

1.2.2. Legislations and laws to eliminate discrimination against women and support achievement of equality and empowerment

The Tunisian legislations are enacted and amended, whenever required, in light of the provisions of international agreements, which Tunisia has endorsed. This includes reviewing the Personal Status Code, enacting the Child Protection Code, reviewing some of the provisions of the Criminal Code, enacting the Educational System Law, and approving complete protection of women from birth until adulthood, marriage, and after marriage. These legal provisions are focused on equality between men and women, at home and outside home. The expected shift in women's situation toward full empowerment is closely linked with making available a legal framework that encompasses all women's rights and protects them, and provides mechanisms that secure respect of such rights through controls and statistical and advice bodies at all institutions.

1.2.3 Regional and international commitments to end discrimination against women and support achievement of equality

Tunisia has come a long way in strengthening the principle of equality between men and women; it exceeds what has been achieved by all Arab countries. It is worth noting that the Arab Charter on Human Rights, which was adopted by the Arab League in 1994 and was recently upgraded, stipulates that the rights and liberties that are protected by the national legislations of the member countries, or are included in the international and regional agreements of human rights, including women's rights, must be respected. However, the internal texts of the legislations are inconsistent with international agreements such as the Equal Remuneration Convention 100 of 1951 of the International Labor Organization despite Tunisia's endorsement of the Convention (the Convention faces difficulties in implementation).

1.3. Lebanon

1.3.1. Political will

A government statement in 2005 reiterated that the Lebanese government "Will focus on women's issues where women are considered key partners and actors in public life. [The government] will create a favorable legal environment to strengthen women's roles in all sectors and lay the foundations for the integration of gender in all financial, economic, and social policies to be consistent with the new international concepts in this regard. The government will also implement its commitments to the recommendations of the Beijing Declaration and Platform for Action,

the Fourth World Conference on Women 1995." This government statement was the first of its kind in Lebanon to deal with women's issues especially the integration of gender in policies and asserting commitment to the Beijing Platform of Action. The statement coincided with the entry of Lebanese women in the executive authority; hence, women's political participation results in representing women's issues in the process of decision making.

In the summer of 2008, the Lebanese government promised to continue "Working on enhancing women's roles in public life and their participation in financial, economic, social, and political areas," and "To implement the commitments of Lebanon to the international agreements it endorsed especially the Convention on the Elimination of All Forms of Discrimination against Women, which require legislations and arrangements to ensure equality between men and women and combat all forms of violence against women and girls." This was the first government statement to include a clear indication to violence against women and commit to combating it.

Toward the end of 1995, the Lebanese "Growth and Development" government promised "To endorse an action plan to combat the phenomenon of violence against women, including to complete the debate of the draft law on protecting women from domestic violence and to enact policies and legislations to combat women and children trafficking for sexual exploitation and forced labor," (paragraph 22 of the government statement).

1.3.2. Legislations and laws to eliminate discrimination against women and support achievement of equality and empowerment

Part One deals with women's situation and equality between men and women in the public and private domains. It refers to international agreements and commitments. It also dwells on constitutions and the extent to which they are consistent with the international agreements and commitments. Part One also presents a number of laws and provisions that enhance equality between citizens with no discrimination against women's rights in public life. The provisions include those related to equality between men and women in education and health as well as political and economic participation and public liberties. Part One also includes endorsement of international and regional agreements and conventions.

1.3.3. Regional and international commitments to end discrimination against women and support achievement of equality

Lebanon is among the countries that have endorsed most of the international and regional agreements and conventions, which call for equality between men and women by giving citizens (males and females) the political, economic, and social rights. These agreements and conventions guarantee rights that allow women's empowerment. They include, the Charter of the United Nations 1945, the Charter of Arab League 1945, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights 1972, the International Covenant on Civil and Political Rights 1972, Convention on the Elimination of All Forms of Racial Discrimination 1971, Convention on the Rights of the Child 1991, and the Convention's (Convention on the Rights of the Child) Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography 2004.

The Lebanese constitution was amended through the Taif Agreement of 1990. The Agreement states that Lebanon is committed to the Universal Declaration of Human Rights and international conventions. Hence, the Constitutional Council considers the international conventions part and parcel of the constitution of Lebanon. The Council has the mandate to monitor the extent to which any appealed law is consistent with the above mentioned international conventions. Article 2 of the Civil Procedural Law stipulates that "The courts must adhere to the principle of sequence of procedures. When the provisions of the international conventions are inconsistent with the provisions of the

regular law, the first shall take precedence over the second. Courts may not declare invalidity of the legislative authority on the ground of inconsistency between regular laws and the constitution or the international conventions.” Subsequently, the international commitments support the national laws in achievement of human rights of women and equality between men and women. According to the aforementioned Article 9 Article 2 of the Civil Procedural Law), the regular courts must not consider the national legislations and laws if they are inconsistent with the international conventions⁽¹³⁸⁾. This means that the laws must be in line with the international conventions.

1.4. Palestine

1.4.1. Political will

Palestine inherited a number of legislations from the different governments that ruled it. Some of these legislations contradict with the most basic rules of equality between men and women, and they do not ensure women’s human rights. When the Palestinian Authority was created, the Basic Law was drafted. The Palestinian Basic Law guarantees equality between all citizens. It prohibits any discrimination for any whatsoever reason, especially sex. The president of the Palestinian Authority signed the CEDAW and declared his commitment and that of the prime minister’s to supporting women. The president also instructed the Council of Ministers to develop and amend laws and legislations that discriminate against women. The Ministry of Women’s Affairs was created to enhance equality between men and women and to empower women. The National Commission to Combat Violence against Women was formed in 2008; it set up a comprehensive national strategy to end violence against women. Moreover, centers were set up, and departments for women and children were established at governorates, and gender units were created at ministries and official agencies in order to integrate gender issues in plans and policies of ministries and to monitor the programs and policies from a gender perspective and to strengthen women’s participation in the public life.

The approval of the women quota in the elections law is a real opportunity to increase the rate of women’s political participation and their participation in decision making. Undoubtedly, the presidential decree to annul Article 340 of the Criminal Law, which is effective in the West Bank, about lenient sentencing of honor killing is very important in providing protection to women in Palestine.

1.4.2. Legislations and laws to eliminate discrimination against women and support achievement of equality and empowerment

The Palestinian Basic Law prohibits discrimination on the grounds of sex. The legislations concerning elections, labor, civil service, and investment address men and women equally. The labor and civil service laws give women special rights for their reproductive role; they give women a 10-week maternity leave and a paid one hour off every day for breastfeeding during the first year of childbirth. The law prohibits employing women in hazardous or difficult jobs, or those that involve night work – with some exceptions to night work.

Moreover, women have advantages such as those in the elections law and the local councils’ elections law, which give women quota to ensure their representation in the Palestinian Legislative Council and the local authorities. According to the effective legislations of Palestine, women have independent control of their financial matters, which means that women can handle their financial matters independently of men. Women in Palestine may legally own and handle land and real estate. They can also become partners in business deals and economic activities. The effective legislations in Palestine allow women to sign contracts and open bank accounts. The Nafaqa Fund

138. Decision number 59 of the civil court of cassation (first chamber) of December 9, 1973 stipulates that “If the provisions of a certain convention are inconsistent with the provisions of a national law, the provisions of the convention shall be implemented whether the national law was enacted before or after the sealing of the convention.”

Law of 2005 was approved to enable Palestinian women to obtain the default Nafaqa (wife's support including food, clothing, and shelter) that are processes at regular and Shari'a courts in Palestine. The circulation of the chief justice of the Shari'a courts, which prohibits registration of takharuj (relinquishment of inheritance rights) before four months of the passing of the decedent, is an achievement for women and a guarantee for their rights from manipulation and mishandling.

1.4.3. Regional and international commitments to end discrimination against women and support achievement of equality

The Palestine Liberation Organization enjoys the status of an observer in the United Nations. Hence, the PLO acknowledges the Charter of the United Nations and the relevant declarations and decisions concerning human rights and liberties. Though the Palestinian National Authority is not a state, President Mahmoud Abbas endorsed in 2009 the Convention on the Elimination of All Forms of Discrimination against Women. The Palestinian Basic Law is consistent with the Convention and the international conventions are used as reference for the legislators when they draft new laws and legislations. The President of the Palestinian National Authority declared that the PNA was committed to the Universal Declaration of Human Rights and the international human rights conventions. The President also instructed the Council of Ministers to amend the laws that discriminate against women after he had signed the Convention on the Elimination of All Forms of Discrimination against Women.

However, the Palestinian Legislative Council has been dysfunctional since 2006; therefore, the effective laws and legislations, which Palestine inherited throughout a long history of foreign rule, have not been amended, including those that discriminate against women. The Palestinian legislations that have been approved by the Palestinian Legislative Council are in line with the international standards and principles. These laws and legislations include the Labor Law, the Civil Service Law, the Child Law, the General Elections Law, the Health Law, the Charitable Societies Law, and other laws.

2. Restrictions and Challenges in achieving women's rights in public and private spheres

2.1. Jordan

Women in Jordan have made many achievements in many areas; however, they, like other Arab women, still face challenges and obstacles in achieving more progress. Violence against women and lack of sufficient protection tools, and the widespread culture of forgiveness of the perpetrators are among the most difficult challenges facing Jordanian women in general. Additionally, the weak participation of women in public and private domains is due to the loopholes in the legislations and constitutional provisions related to non-discrimination such as the nationality law, which stands as a key obstacle in the face of women's enjoyment of their rights as citizens.

The dominant culture of customs and traditions are among the most prominent obstacles facing Jordanian women and negatively affect their achievement of rights such as the right to movement and ownership. Such culture violates in some cases the legitimate rights of women, which negatively impacts women's economic and political empowerment.

Moreover, there are real problems resulting from the upbringing mechanisms within the household where the male culture fails to consider women as equal partners. Ignorance of rights is a main reason for violating them. The lack of women's participation in political parties affects women's roles and contributions to decision making, their access and control of resources as well as the achievement of equal opportunities.

2.1.1. Constitution: Strength and weakness

The Jordanian constitution of 1952, amended in 2011, guarantees equality in duties and responsibilities among citizens. It comprises a very significant addition, among the amendments, that considers the family as the foundation of the society. The law guarantees women's protection as well as protection of motherhood, childhood, old age, and the handicapped from abuse. The law also calls for establishment of a constitutional court that decides on the constitutionality of laws; this serves women's issues since the court can also appeal the texts that violate the law, and hence it guarantees—that all laws will ensure equality between men and women. However, there is still a need to amend the constitution so that it would clearly prohibit any discrimination on the ground of sex.

2.1.2. The right to political participation

The amendments to the laws in order to enhance women's political participation, such as approving the women's quota, are commendable; however, more amendments are required to meet the endorsement of the international agreements. The allocation of a number of seats in the parliament for women partially meets Jordan's commitment to article 7 of CEDAW which stipulates positive discrimination in giving an advantage to women in political participation (allocating 30 percent of seats in representational councils for women). Also, necessary amendments need to be carried out and important policies and procedures must be implemented so as to balance representation of women in political parties and trade unions. This is all linked to comprehensive awareness in the society to enhance women's participation in political functions.

2.1.3. Penal code

The amendments of the penal code included Article 340, which comprised annulling the leniency granted on the ground of honor killing, which acquitted men from the crime of murder in the case of honor killing (the amendment calls for lenient sentencing rather than acquittal) regardless of the place where the crime takes place. Women may also benefit from lenient sentencing providing that the crime takes place at their homes. In any case, justice requires that Article 340 should be removed altogether especially that Article 98 comprises provisions that apply to all crimes. The perpetrators who commit the crime while enraged benefit from Article 340. Article 308 must also be annulled; the Article calls for acquittal or end of criminal pursuit of perpetrators in the event that they marry the victims.

2.1.4. Personal status law

The amendments to the law included increasing the marriage age for males and females, and placing controls over allowing those aged fifteen to be joined in matrimony. However, the controls must be very strict to avoid abuse of the exception. Also, the amendments included the women's right to file for divorce or *khal'e*, and the cases of polygamy, which allow the judge to examine the potential bridegroom's financial capability to pay dowry and support the wife or wives. The amendments also include informing the relevant women of a polygamous man. Another positive amendment included awarding custody of children to women until the children turn fifteen or until they become adults if they choose to stay with their mother.

2.2. Tunisia

2.2.1. The constitution: The abolished and awaited constitutions

The former constitution called for equality between men and women as a principle to be constitutionally protected. Noticeably, the legislative texts that deal with women and discrimination against women and equality between men and women do not comprise a clear concept or definition of the meaning of discrimination between men and women. The significance of defining concepts stems from enforcement. Obscurity of concepts gives room for interpretations and may lead us away from the intended meaning and create justifications for not adhering to CEDAW. The awaited constitution is still underway and at controversial stops between equality and discrimination and a view of the post-revolution society.

2.2.2. The right to political participation

Despite the call for equality between men and women in the constitution and other laws, the participation of Tunisian women is still not up to the Tunisian context and the legislative framework. It is necessary, therefore, to support the women's roles in decision-making positions in the government, public agencies, and private establishments. Women's roles must not be restricted to secondary positions or women's ministries such as the ministries of women's affairs (Tunisian women are limited to the ministries of women and briefly health). The majority of the positions at the organizational structures of the public and private establishments are mostly occupied by men making women's representation within such establishments insignificant.

Though the society acknowledges theoretically the women's capacities, the key role allocated for women is to look after men and children. Women's achievement of independence comes in the second place, and unfortunately women in many cases approve of being "secondary creatures" created to make men happy. This makes women accept a secondary position in the family and society and allows men to abuse them financially, psychologically, and materially. The way to change this perception is through creating curricula that strengthen equality between men and women and urge male and female children to respect each other, rather than follow the legacy of placing women at home to take care of the chores and mock the men who help with the chores. The legal framework alone is insufficient; it has to be accompanied by true will to secure a level of equality comparable to other countries that had since the 1950s taken important steps to enhance women's status and considered women important participants of the society.

The Tunisian legislations pertaining to women's situation and rights at all levels consider women equal to men in most cases. The legislative principles were enhanced by the work women had accomplished and by their active participation in all areas. However, there are currently fears and threats that women may lose their accomplishments and go back to where they were decades ago. This makes one stop and think about the seriousness of such fears and threats.

The Tunisian revolution has witnessed changes in the political system, and a rise of new parties that take religion as their point of departure. There are suspicions about the extent to which the revolution will be successful and the country would secure women's rights and equality between men and women. There are calls for reviewing the current texts [of the laws] on the ground of what is presented as the so called "schizophrenic" condition of the Tunisian women who have separated themselves from their religion.

Based on this, the calls also demand prohibition of some laws of Tunisia which have contributed to establishing a certain pattern of life in the Tunisian society. Though the leaders of some parties declared that they would safeguard the accomplishments, the reality on the ground makes one

suspicious about their intentions. For instance, one of the conditions to realize the objectives of the revolution and democratic transmission is to divide the candidates' lists for the Tunisian Constituent Assembly equally between men and women; however, the lists contained two women and fourteen men.

Undoubtedly, Tunisian women today need to defend their rights and their accomplishments more than ever in order to strengthen the society, which they compose half of it, and protect the basic acknowledged human rights.

2.2.3. Penal code

The law still has provisions that strengthen discrimination against women and encourage violence against them such as the acquittal of a rapist if he marries the victim regardless of her feelings or basic rights as a result of social and family pressure.

2.3. Lebanon

2.3.1. Constitution: Strength and weakness

The rights of women to enjoy human rights and basic freedoms, equally to men, are among the general principles of constitutional values in Lebanon. Any new laws that do not meet such criteria may be annulled by the Constitutional Council. However, the law upon which the Constitutional Council was founded (law number 250 of July 14, 1993 amended by law number 150 of October 30, 1999) limits the constitutional control and undermines its effectiveness over laws and other texts that have the power of laws.

Obtainment of legal rights by women does not necessarily mean that they enjoy them. For instance, Article 12 of the Lebanese constitution stipulates that "All Lebanese citizens have the right to occupy public posts and there shall be no discrimination in this regard except on the grounds of merit." Lebanon is a democratic republic with a free economic system. Its parliamentary system, which is comprised in the constitution and protected by the laws, allows wide participation of citizens in the political life. The constitution and the civil law do not discriminate between men and women in political and citizenship rights. However, in practice women's participation in public and private domains remains low, including in economic activities.

2.3.2. The right to political participation

The law prohibits any legal discrimination against women or violation of their human rights on the grounds of being politically active members of women's organizations. Still, there are obstacles that prevent women from participating in the political life such as the laws and traditions that divide political representation and jobs according to sects. Sects rarely accept to be represented by women. The most important obstacles in the face of women's political participation are:

- The sectarian elections law and the dominant patriarchal mentality among the Lebanese sects result in disapproval of proportional representation.
- Lack of legislative arrangements that ensure participation of women in public life, such as quotas or specific proportions at government councils. Also, lack of administrative will regarding women's representation, including in women dominated agencies, which explains lack of female ministers ⁽¹³⁹⁾.
- Lack of spending on organizations that could positively affect women's lives, including the official organization in charge of women's affairs and gender. This organization relies on funding from international organizations.

138. One female minister was appointed as education or social affairs minister in Lebanon though the number of women involved in education and social affairs exceeded men.

- Women, unlike men, lack solidarity where such solidarity keeps men in control over all agencies.
- Competency is not considered a standard for political participation.
- Political positions are very costly; women do not find funding sources to support them to reach such positions.
- Lack of community awareness about the role and status of women.

2.3.3. Penal code

When the civil procedures law was ratified in 1983, Lebanon decided to give international conventions precedence over national laws (Article 2 of the civil procedures law). Lebanon is committed to repeal the provisions of the law that discriminate against women in order to be consistent with Paragraph (g) of Article 2 of the Convention on the Elimination of all Forms of Discrimination against Women. The struggle of the women's organizations succeeded in 1999 to partially amend Article 562 of the penal code, which annuls the lenient excuse of the perpetrators of honor killing.

2.3.4. Personal status law

Some of the provisions of the personal status law, which regulate the family relations between men and women, are unfair to women's human and legal rights (citizenship, divorce, child custody, personal freedoms, etc.). The provisions are closely linked to the different sects of Lebanon. They do not ensure equality between men and women, or between women of different sects. They have negative impact on women's public life, equality with men, women's social status, economic empowerment, and participation in political life and decision making.

2.4. Palestine

2.4.1. Constitution: Strength and weakness

The amended Palestinian Basic Law prohibits discrimination on the grounds of sex. It also stipulates that men and women are equal before the law. However, the Basic Law lacks comprehensive perspective when dealing with women. When it comes to implementation, there is a difference between the effective legislations and the Basic Law. Hence, the provisions of the legislations on women's rights – in the penal code and the personal status law, for instance – must be amended to be consistent with the Basic Law.

2.4.2. The right to political participation

Women have the constitutional right to political participation. The law stipulates that Palestinians have the right to participate in political life as individuals or groups. In particular, they have the following rights: Formulate political parties or join them; establish trade unions, societies, unions, leagues, clubs, grassroots organizations (in line with the law); vote and run in elections; hold public posts in accordance with the equal opportunities rule; and hold personal meetings without presence of police, and hold public gatherings (in line with the law). The law does not discriminate between men and women. Moreover, some progress occurred to legislative and local authorities' election laws. The progress included having provisions that guarantee women's representation. Article 4 of the Legislative Elections Law number 9 of 2005 stipulates that, "Each list of elections nominees must include a minimum level of women's representation of one woman at least in the first three names; one woman at least in the next four names; and one woman at least in the next five names." The Local Councils Elections Law is ahead of the Elections Law. Article 17 of the law stipulates that:

1. in the local body in which the number of seats does not exceed 13, the women representation should not be less than two seats:
 - a. One woman shall be among the first five names
 - b. One woman shall be among the next five names

2. In the local body in which the number of seats exceeds 13, a seat shall be allocated for women among the five names that follow paragraph 1 (b) mentioned above;
3. Local bodies in which the number of voters is less than 1000 according to the final table of voters are excluded from provisions of paragraph (1) mentioned above. In such a case, the option for selecting places allocated for women among the candidates shall be left for the electoral lists.”

Palestinian women scored low rates in the legislative elections of 1996 and 2006 (the elections of the Palestinian Legislative Council). That meant that the Palestinian society could not overcome the gender based discrimination issues, and that it thought of women as yet unqualified to occupy leading positions and share decision making with men. Moreover, Palestinian women saw themselves occupying a lower rank than men, and hence gave their votes to men and failed to trust women.

2.4.3. Penal code

The penal code, which is effective in the West Bank and Gaza Strip, was enacted before the issuance of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, and the Convention on the Rights of the Child. The penal code fails to address women and children; it fails to address the needs and particular situation of women and the guarantees of the rights of women and children. Moreover, it fails to protect the most vulnerable, and it justifies men’s violence making them victims rather than perpetrators. Hence, women have to go a long way to change social upbringing, the law, and other mechanisms that put women in lower ranks compared to men and encourage criminal behavior against them. Subsequently, the issue will be taken out of the family boundaries to be public domain as an initial step toward social liberty.

2.4.4. Personal status law

The West Bank and Gaza Strip have two old laws inherited from former ruling powers of Palestine. The laws have problems with issues such as divorce as a right solely given to men, as well as custody of children. A woman’s personality is not recognized by the law, which assumes that women have qualification shortcomings. The law treats women as unable to decide, even when they reach forty years of age. This degrades women and undermines their mental capacities. The law also allows polygamy.

II. WOMEN'S ECONOMIC RIGHTS AND EMPOWERMENT: ACHIEVEMENTS AND ADVANCEMENTS

1. Political will and national efforts

1.1. Jordan

1.1.1. The legislations and laws to eliminate discrimination and ensure women's economic rights and empowerment

Jordan has made achievements in the area of women's economic empowerment through the constitution and laws framework. Jordan employed national strategies, initiatives, and mechanisms in line with its international commitments to international conventions and agreements and conferences. The efforts produced the following achievements:

1.1.2. Labor law

Labor Law number 8 of 1996 and the amendments of the same law increased the maternity leave to ten weeks. The law prohibits terminating women's jobs during pregnancy or during the maternity leave thus safeguarding women's financial achievements. On the other hand, the law needs to include provisions that oblige equal pay and prohibit actual discrimination between male and female employees. Labor Law number 8 of 1996 includes new provisions that acknowledge the rights of working women as prescribed by international conventions. The provisions include new categories such as the workers in agriculture and domestic workers and the like, and protect women from dismissal from work if pregnant. The law grants either of the two working spouses a one off unpaid holidays to accompany the spouse in case of one of them leaving the country. The law also raises maternity leave to 10 weeks, gives women paid time to breastfeed, and requires the employers to provide suitable place for looking after the children of the female employees.

The amendment of the Labor Law of 2008 gives workers the right to resign their posts without giving notice in the event that the employers or their representatives degrade, beat, or sexually harass them. Workers in this case do not lose any of their labor rights or relevant compensations. However, the law still needs further amendment to clearly include equal pay and strict penalties for the employers who violate it and ensure employees against arbitrary dismissal. Moreover, the Jordanian labor law and the instructions based on it regulate the relationship between female employees and employers. The law (Labor Law of 2008) stipulates that the provisions under which agriculture workers and domestic workers and the like operate must be specified. There are regulations and instructions issued for this purpose to regulate work relations.

1.1.3. Social security law

The many achievements made in this area can be summarized as follows: The Social Security Law number 19 of 2001 and its amendments allow and insure female employees to continue working until the age of sixty, which enables them to benefit from the pension. Paragraph (a) of Article 3 includes several insurances such as motherhood, unemployment, work accidents, old age, disability, death, and health. Moreover, the optional Social Security Law is included. It covers all workers, including homemakers. Businesswomen may also join the social security. Article 44 of the Social Security Law stipulates that the insured female may benefit from the motherhood insurance for four childbirths maximum according to the period defined by the labor law. The law points out to the establishment of the motherhood insurance fund.

The insured female also has a right to receive her pension in addition to any shares she is entitled to from her husband's social security pension according to the provisions concerning the rights of

a wife. However, in order to achieve justice and protect women's economic rights, the provisions that deprive women of pension due to marriage related reasons must be rescinded.

1.1.4. Civil service pension law

The Civil Service Pension Law number 19 of 2006 includes a special provision for female public servants. The provision enables them to receive the pension deductions that had been deducted from their salaries. The ministers' council may allow male employees to retire after twenty years in service, and female employees after fifteen years in service. The female employees are not deprived of their pension on the grounds of marriage. However, there are some obstacles facing endorsement of women's economic rights, which requires amendment of the law so that women would be able to have the two pensions at the same time.

1.1.5. Income tax law

According to the Income Tax Law number 25 of 2001, spouses shall have the exemptions comprised in the law. Wives shall have personal exemptions as well as the exemptions on studies, family support, and children education. Wives shall also have equal exemptions to husbands of up to 1,000 dinars.

1.1.6. Civil service system

The Civil Service Law number 30 of 2007 (and amendments of the law) gives female civil servants fully paid – including allowances – maternity leave of 90 days. The law also gives women fully paid emergency time off for bereavement; and fully paid hajj time off. However, the law restricts female civil servants' obtainment of family allowance since they can only receive such allowance in the event of the demise of husbands, or having disabled husbands, or when the female employees are the family breadwinner. These conditions must be removed in order to achieve equality between men and women. Amendments also require adding a provision that gives women fully paid one hour off for breastfeeding during office hours; amending Article 172 to nullify the part that allows male employees to extend service one year before retirement whereas female employees are not given this advantage.

1.1.7. Owners and tenants law

The Owners and Tenants Law number 11 of 1994 comprises provisions on the women's rights to leased property. The provision allows transfer of such rights to the women who are arbitrarily divorced according to a court's decision (or separated according a decision by a church). However, the law needs to be further amended to include transfer of the rights to leased property when the husband passes away. Moreover, paragraph (a) of Article 7 stipulates that a widow loses her rights to leased property if she marries another man. This paragraph must be nullified since it is harmful to widows and their financial rights.

1.1.8. Nafaqa (wife's support including food, clothing, and shelter) in the personal status law

The Personal Status Law of 2010 approves the nafaqa as a right of working women. The fees and nafaqa lending fund was established to guarantee the rights of the impoverished women before the law. The law also comprises a provision that allows a judge to inspect the financial situation of a potential bridegroom before marriage contract is sealed. The compensation for arbitrary divorce was raised to one year nafaqa at least and a maximum of three years. However, the amendment should make the nafaqa proportionate to the number of the years of marriage. The chief justice of Shari'a courts gave instructions to allow women a waiting period of three months following the death of a giver of a legacy before they relinquish their right to an inheritance; however, the chief justice instructions need to be comprised in the personal status law.

1.1.9. The work of the state and its institutions

In line with the commitments of Jordan to advancing human rights in general and women's rights in particular, the country eliminated discrimination against women in all areas (health, education, social, economic, and political). Jordan has made significant progress in amending legislations to create equality between men and women to ensure the constitutional understanding of citizenship, social justice, and equal opportunities to all Jordanian citizens in the entire regions of the kingdom. Jordan has also made progress in institutionalizing gender and approving many plans, policies, and strategies to serve the needs of a comprehensive development and to strengthen the status of the Jordanian women. In order to achieve the vision of the strategy and to enhance equality between men and women, legislations on women's empowerment were enacted, developed, or amended such as the Jordanian Labor Law, the Social Security Law, the Penal Code, and the Passports Law. These laws clearly include concepts from international human rights conventions.

Moreover, the Jordanian government took a number of procedures to reduce violence against women, including legislative procedures and preventive procedures such as creating the family protection unit. Ministries in Jordan adopted a number of programs and projects to enhance women's participation in economic activities and the development process. For instance, the launching of the gender fund/ equal opportunities to enhance gender sensitive practices in 2007 by the Ministry of Planning, and the projects that the Ministry of Social Development adopts. The Ministry of Labor launched the productive branches initiative in 2011 in the areas of high poverty and unemployment rates to train and employ females; also the "decent work and working women's issues" project which is carried out in cooperation with the International Labor Organization. The project seeks to raise awareness on international conventions on equal pay. Moreover, the number of women in the judiciary rose to more than 110 judges in 2011, and women occupy seats in the legislative and executive authorities.

1.1.10. Civil society and women's movement

According to the Arab Human Development Report 2005 on the role and contributions of the Arab non-governmental organizations (Beijing+10), non-governmental organizations play an important role in women's progress, and that governments must learn from NGOs and their experience (decisions number 7/37 by the Commission of the Status of Women, which has the task of preparing for the conference). The Commission of the Status of Women encourages governments to support NGOs and to involve them in preparatory national activities as well as regional and international activities. The non-governmental organizations are also known as civil society organizations; they include women's societies, trade unions, development societies, etc. NGOs have become effective players in development especially in sectors that governments do not serve; they are also effective players in decision making. NGOs contribute to preparation of social, economic, political, and cultural agendas. They operate as channels that allow citizens' participation and ensuring democracy. Some NGOs succeeded in dealing with poverty and unemployment. The participation of the NGOs is part of the solution adopted by international organizations to ensure policies and strategies that serve the citizens. An increasing number of NGOs participates in women's economic empowerment in the areas of policies, law, and economy.

According to the abovementioned report, Jordanian NGOs constitute the cornerstone of the women's movement and enhancement of women's economic security since they design and implement projects and programs that enable Jordanian women to access the labor market, including training and rehabilitation programs as well as empowerment programs. However, the rate of women's participation in the labor force is low. The achievements of the Arab NGOs are of two levels: First, provision of jobs to vulnerable and dispossessed groups, second, the objectives

of the NGOs to play a significant role in development through an economic security package to reduce the negative impact of economic reforms. The NGOs took part in financing micro-businesses on a wide scale ⁽¹⁴⁰⁾.

1.2. Tunisia

Despite the achievements and successes in women's empowerment in Tunisia, there are weaknesses that restrict women's participation in the economic areas. Among the key obstacles is the failure to consider women as human resources that require improvement to positively take part in the development process.

1.2.1 The legislations and laws to eliminate discrimination and ensure women's economic rights and empowerment

In Tunisia, there has been consistent development with respect to women's issues starting from the Personal Status Act to ending Tunisia's reservations on the Convention on the Elimination of All Forms of Discrimination (decree number 103 of 2011 dated October 24, 2011). The Tunisian government's reservations on CEDAW were attached to Law number 68 of 1985 dated July 12, 1985.

The Tunisian legislation is in alignment with the principles of international conventions. It enhances equality between men and women at work; it also enhances women's empowerment through the provision of a protective system for women that takes into account their specific requirements and needs.

1.2.2. Right to work

The Copenhagen agreement comprises procedures to eliminate discrimination against women at work in order to ensure equality between men and women and ensure similar rights. The rights deal with engagement in work, work conditions, health and social coverage, and the right to equal pay. Non-discrimination also encompasses taking gender into consideration upon issuing job contracts. Work stoppage by women during the period that precedes or follows childbirth shall not be a justification to terminate women's work by the employer (Articles 18 and 20 of the Labor Act). Women are also entitled to a maternity leave of thirty days that can be extended by one month upon provision of a medical report. The law allows mothers two half hour breaks for breastfeeding throughout the nine months that follow childbirth. The law also advocates equality in social security, pension, and other issues related to maternity leave. The legislations permit women to match between job and family duties by developing daycare centers for children aged 3 to 6, and issued a special law (Law number 26 of July 1994) on contributing to childcare costs through social security funds.

1.2.3. Inheritance

Obtainment of resources such as land and loans and means of production must be equal. The legislations show great protection of property, especially real estate where there is a record that contains all provisions and conditions related to real estate. However, for women there are still obstacles that prevent women from having access and benefiting from ownership of property the same way men own and benefit from property. The first obstacle is rooted in the interpretation of the legislations.

Tunisian legislations give men more share of the inheritance than women following the first chapter of the previous constitution. However, the same constitution guarantees women's right to inheritance, and it surrounds such right with many efficient guarantees.

138. For more information see the report on the role and contribution of the Arab non-governmental organizations (Beijing+10), UNIFEM, 2005

The legislator ordains that women are quota heirs, which means that they inherit specific shares, whereas residuaries inherit whatever remains of the inheritance – once quota heirs have taken their shares. It may be the case that after quota heirs have received their shares, nothing is left for residuaries. This logic followed by the legislator embodies the social notion that priority should be given to those closest to the deceased. The inclusion of residuaries by the legislator is a reflection of a mentality that sees in inheritance a collective family achievement, which contradicts the more modern perception of inheritance being the yield of the work of spouses and their children.

On the other hand, the Tunisian law prohibits people from composing wills to prevent that all inheritance may be given to male children only. The law prevents any mishandling of inheritance during serious sickness where women are excluded from inheritance in return for little money. The law approves the mandatory will for immediate grandchildren. However, there is still an ongoing debate in Tunisia on equality between men and women in inheritance because, despite the wide range of rights Tunisian women have compared to women in other Arab and Islamic countries, the inheritance law, which is based on Islamic Shari'a (law), has not been amended in the way the Personal Status Code of 1956 was amended. Women's organizations and right activists have demanded for many years to amend the inheritance law to be consistent with the international human rights conventions, and to review the issue of inheritance distribution between males and females, and to review the Personal Status Code to treat women equally and justly with respect to inheritance.

1.2.4. Tax system

The tax laws in Tunisia have several scattered texts and diverse courts that can be sought after. The litigation starts at one court and the process goes through a number of courts. The fiscal legislation does not have special provisions for women. However, the income tax code adopts the concept of family head as a standard for benefiting from tax exemptions. Article 5 of the code stipulates that, "The family head is the husband who supports the children, the widowed, and the adopted." A wife may be considered family head "when she proves that the husband had no income during the year preceding the tax year, or when she marries another man and wins custody of her children." Article 40 of the same code gives women the rights of the family head in the event that she wins custody of her children and consequently is entitled to benefit from tax exemptions. The article comprises clear discrimination between men and women since it relies on the family head in income tax issues. For instance, a wife pays income tax on her income from a job or real estate, etc., without having the right to the reductions given to a family head in accordance with Article 40 of the tax code (for children under custody). The Tunisian legislator does not base the family total income on the employment principle, and does not enable the wife who is not a family head to enjoy the joint reductions though she is subject to the same tax like her husband.

Alternatively, in support of starting businesses and establishments, the legislator has since enacting the Investment Promotion Act focused on the principle of freedom of investment as an alternative to licensing. The country followed a policy of canceling administrative licenses that prevented conducting commercial activities in order to promote individual initiatives. The licenses are replaced by a booklet containing the approved relevant conditions and a one stop service that ensures promotion of industry and completion of procedures within 24 hours.

The Tunisian Economic Initiative Incentive Law created a committee that focuses exclusively on establishing small and medium businesses. It was also stated for the first time that small businesses may join public auctions, which was previously monopolized by certain size businesses with strong competitiveness. The law also approves creating special bodies that support entrepreneurs

translate their ideas into businesses and to adopt such businesses for a certain period. The law also approves financial incentives through tax incentives package such as tax exemptions. Though the legislative framework supports women to access all economic activities to achieve independence, there are still gaps between men and women due to the difficulties women face where such difficulties are related to policies, and social and economic situations.

Looking at the policies of the country, women are absent from the decision making positions in the public and private sectors and the state's agencies. Women constitute a tiny percentage of ministries and agencies employees. Women often occupy the post of the minister of health or women's affairs, as if heading other ministries were monopolized by men, or women cannot handle them. Moreover, the Commercial Companies Code includes provisions that only allow women a minimum percentage of seats at the boards of directors.

1.3. Lebanon

1.3.1. Legislations and laws to eliminate discrimination and ensure women's economic rights and empowerment

The Lebanese legislator has enacted a number of laws that enhance the rights of the employed women, including equality with men in accordance with relevant international conventions, as well as the protection [of women] without harming the equality rights⁽¹⁴¹⁾. Lebanon endorsed two of the International Labor Organization's conventions on equality between men and women and gender: The Equal Remuneration Convention 100 of 1951 and Convention No. 111 Discrimination (Employment and Occupation)⁽¹⁴²⁾ Convention, 1958. The Lebanese government promised to provide periodic reports to the International Labor Organization on the extent to which the provisions of the conventions are applied.

Here are some examples about adapting amendments of laws to meet international conventions: law number 207 of May 26, 2000 concerning amendment of Article 26 of the Labor Law to include prohibiting employers from practicing gender discrimination in type of work, wages, and employment, which is in line with the Equal Remuneration Convention 100 of 1951 of the International Labor Organization: Also, law number 220 of May 29, 2000 (Article 80) concerning amendment of paragraph (d) of Article 14 of the Social Security Law to include coverage of males and females with services up to the age of 25.

1.3.2. The work of the state and its institutions

The state succeeded in providing educational and vocational preparations to engage women in the development process, in cooperation with the civil society organizations. The rates of school and university enrollment for females registered a large increase that exceeded the males' rates in a number of cases. The increase relatively caused an increase in the females' rates of economic activities in most age groups, including groups beyond median marriage age (which exceeds what it used to be in the 1970s). The improvements, which coincide with a clear drop in illiteracy rates among females, results in diverse economic activities of women compared to the 1970s; moreover, the improvements caused a drop in the unemployment rates among females⁽¹⁴³⁾.

The cooperation between the state and the civil society organizations, for instance, led to the creation of the Lebanese women national strategy, and launched a national campaign to amend the discriminatory legislations with negative impact on women. It also launched a national

141. Enhance endorsement of international labor conventions on equality and applying them in Lebanon, Syria, and Jordan, comparative study by attorney Ellen Michele Khoury.

142. The basic conventions of the International Labor Organization on equality between men and women and gender including: Equal Remuneration Convention 100 of 1951; Convention Discrimination (Employment and Occupation), 1958 (No. 111); Workers with Family Responsibilities Convention, 1981; C183 - Maternity Protection Convention, 2000 (No. 183); and Home Work Convention, 1996.

143. CEDAW 2004 report

campaign to encourage women to run in the parliamentary and local elections, establish women's own businesses, and organize workshops. Some of the activities in this regard were part of the EuroMed program to promote gender parity⁽¹⁴⁴⁾. The activities include the workshops held between 2009 and 2010 with support from the International Labor Organization, including a series of consultations on "Women and Men at Work" program⁽¹⁴⁵⁾. The purpose of the workshops was to build a trained team capable of raising awareness about the following five conventions of the International Labor Organization: Equal Remuneration Convention 100 of 1951; Convention No. 111 Discrimination (Employment and Occupation) Convention, 1958; Workers with Family Responsibilities Convention, 1981; C183 - Maternity Protection Convention, 2000 (No. 183); and Home Work Convention, 1996. Also, the workshops sought to enhance awareness about ILO's conventions on equality between men and women at work, enhance social justice and the opportunities of obtaining decent work, and the integration of the international standards into the Lebanese legislations ⁽¹⁴⁶⁾.

The opportunities for Lebanon to develop socially, economically, and culturally, according to development indicators, are in the adoption of democracy and the basic principles of human rights, including non-discrimination and equality, which need to be clearly stated in the constitution and clearly indicated in the official standpoints of the country.

In any case, the rise in the rates of economic activities of women is not consistent with what the country spends on females' education ⁽¹⁴⁷⁾.

1.3.3. The civil society and the feminine movement

Among the strong points of feminine activities in Lebanon is the effectiveness of the organizations that were established in the early years of the 20th century such as the Alnahda Women's Association, which was founded in 1924. The women's associations created the Executive Committee for the Women's Associations in Lebanon in 1950, which comprised 160 associations. These associations from all over Lebanon differ from each other, and even disagree on certain issues, but they all seek to amend the Lebanese laws to be consistent with the Convention on the Elimination of All Forms of Discrimination against Women.

Some believe that the feminine movements presented an alternative to the negligence on behalf of political parties of women's issues. The movements were largely created by efforts of the civil society especially in the aftermath of the endorsement of the Convention on the Elimination of all Forms of Discrimination against Women. For instance, the National Forum seeks to establish an optional civil law of personal status. The forum consists of dignitaries, societies, and Lebanese parties that seek to establish the aforementioned law and raise awareness through the media about the proposed law. The National Commission for Lebanese Women coordinates the work of the civil society organizations and efforts in service of women's issues. The Commission has helped in exerting pressure on the government in favor of women's issues. In any case, despite the state's initiatives to encourage women's empowerment and equality between men and women, there is still weakness in social structure, and "the Lebanese women still suffer discrimination in legislations and in mentalities and social attitude, which still look at women as a second degree creature."⁽¹⁴⁸⁾

144. Wafa'a Suleiman on signing cooperation between the National Commission and the Bar Association to enhance women's progress and support in public life, November 2, 2011

145. http://www.ilo.org/public/arabic/region/arpro/beirut/downloads/info/press/press_release_290609.pdf (Arabic)

146. The international Labor Organization completed workshops on women and men's issues. Deputy Minister Harb said, "We are concerned about workers' rights and the employers' duties. April 21, 2010

147. Ibid.

148. Ibid.

1.4. Palestine

1.4.1. Legislations and laws to eliminate discrimination and ensure women's economic rights and empowerment

The Palestinian constitutional tendency is inclined to equality. Hence, no legislations may call for depriving women of any of their rights on the grounds of sex. Women's economic empowerment is closely linked to decision making. The women's quota in the elections law constitutes a real opportunity for increasing the rate of women's political participation and decision making, which affect economic participation.

1.4.2. State's work and institutions

The creation of the National Committee for Women's Employment is an important factor in women's economic empowerment. The Committee seeks to enhance women's participation in the labor market and to diversify their opportunities to get decent jobs and participation in the social and economic development, reduce poverty, and ensure social justices and enhance women's situation. The Committee also seeks to support institutions to ensure employment policies and women's needs.

The Palestinian Central Bureau of Statistics integrates gender in all of its surveys and reports in order to determine the accurate figures of women's participation in all aspects, which is a good opportunity to establish policies based on reality. The ministries and agencies of the Palestinian Authority are subject to gender inspection at all administrative, fiscal, and human resources levels, which constitutes a major step in diagnosing the gaps and changes and reforms that ensure social justice and equality.

2. Restrictions and challenges in achieving women's rights

2.1. Jordan

2.1.1. Legal restrictions and challenges

The treatment of the most prominent legal challenges can be done through the amendment of a number of laws, such as the elections and parties' laws, which would enhance women's participation in politics and would raise the level of fulfillment of Jordan's commitment to international conventions of human rights in general and women's rights in particular. The amendment of the laws will possibly lead to lifting the reservations on some international conventions such, as the Convention on the Elimination of All Forms of Discrimination against Women, and endorsement of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

2.1.2. Institutional and policy related restrictions and challenges

The obstacles in the domain of institutions and policies are political and systematic due to lack of integration of gender issues in the processes of policy making and drafting development plans and strategies, including institutionalization of gender sensitive budgets and activation of a gender perspective at government agencies; issues which in their entirety would ensure a more equal representation between men and women. The educational system needs to be developed so that its output would serve the market needs, which would ensure equal opportunities for all. There is also weakness in the mechanisms of monitoring and evaluation of small businesses' management and control of resources.

2.1.2.1. Political restrictions and challenges

The roles of women in political parties needs activation, since a low participation of women in this field constitutes an obstacle for women's opportunities to compete for public offices.

2.1.2.2. Economic restrictions and challenges

Women's economic empowerment remains weak for many reasons, including bad distribution of resources that affects women's control over the outputs of the businesses they manage. The lack of women's participation in decision making processes affects their ability to influence policies and plans and strategies of economic reform. In addition to the differences in salaries between men and women, the relevant legislations lack gender considerations and still include texts that do not promote equality and non-discrimination in the economic domain.

2.1.2.3. Social restrictions and challenges

The social and stereotype restrictions of upbringing and the dominant negative inherited values on women's participation in decision making lead to a reduced public acceptance of the participation of women in public life. Hence, there are contradictions between the traditional practices and tendencies on the one hand, and the international conventions on the other hand, such as the relinquishment of the right to inheritance and practices of early marriage.

2.1.3. The right to work and economic participation

Based on the constitutional provisions and Jordan's international commitments, the national legislations include rights for the Jordanian working women, which consider many of their practical and strategic needs. This includes the Civil Service Law, which is based on the principles of transparency, justice, equal opportunities, and non-discrimination between men and women in their national rights and duties and responsibilities. The Jordanian constitution asserts giving workers a wage that is appropriate to the nature of their work. The Social Security Law applies insurance to work accidents and vocational health as well as old age, disability, and death. The law expands to include the wives' right to have two pensions. The Jordanian Labor Law prohibits dismissal on the grounds of pregnancy or during maternal leave. Hence, the Jordanian Labor Law and the Civil Service Law ensure rights that consider women's needs and ensure equality between men and women.

2.1.4. Discrimination against rural women

2.1.4.1. Legal and institutional framework

Paragraph 1 of Article 14 of the Convention of the Elimination of all Forms of Discrimination against Women stipulates that "States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas."

Hence, Jordan's National Strategy for Women, "We are all Jordan", and the national agenda emphasize development of rural women in order to combat poverty and achieve development, which is inseparable from enhancing women's economic participation. The amendment of the Jordanian Labor Law number 48 of 2008 includes provisions on workers in agriculture, which constitutes an enhancement to legal protection of agricultural laborers in general, and rural women who work in agriculture in specific. The Social Security Law stipulates in Article 3 that insurances must apply to work accidents, vocational health, old age, disability, and death for those whom the Labor Law applies to. Therefore, the amendment of the Jordanian Labor Law is expected to increase benefits from social insurance programs.

2.1.4.2. Access to public resources

Lack of access to resources is among the most important obstacles in the face of women's economic empowerment. The challenge becomes greater when we realize that a large sector of farmers in the Arab region is constituted of women who, in most cases, do not own land to plant or assets to invest in. Hence, the Jordanian government and civil society organizations realized the significance of ensuring women's economic independence, since women's empowerment is essential to safeguard their needs and their children's needs. Therefore, the government and civil organizations took a number of initiatives and established projects and programs to empower rural women economically:

- a. Establishing the Hashemite Fund for the Development of Jordan Badia, which aims to establish productive projects that enhance the women's developmental role in the Badia area through facilitating financial support, technical advice, and implementing programs that enhance women's participation in economic activities.
- b. The Ministry of Labor's launching of the females' employment project at the less advantaged areas, and the program for shifting investment projects to distant areas (production branches). This project aims to create job opportunities for unemployed rural women.
- c. The Ministry of Planning and International Cooperation implements a number of development programs for the benefit of rural women such as the "Qudurat- (Capacities -) program, which seeks to build the capacities of local communities to create jobs, and develop the local communities to combat poverty and unemployment. 4. The Jordanian Women's Union provides loans to impoverished women.
- d. The Women's Fund provides funding for small businesses and seasonal activities.

2.2. Tunisia

Despite the achievements in the area of women's empowerment, there are points of weakness that restrict women's empowerment and economic participation. Among the most significant obstacles is the lack of knowledge of women that they are human resources that require development to take positive part in the development process.

2.2.1. Legislations and laws to eliminate discrimination and ensure women's economic rights and empowerment

There are still differences in the legal texts on equality between men and women in all areas, especially the social and economic areas and economic empowerment. This can be seen in the economic indicators of women compared to men, and in women's lack of access to services and access and control of resources.

2.2.2. Political gaps

The difficulties women face in ensuring equal opportunities require that more efforts are exerted in order to understand the social and cultural structure of the relationship between men and women in the public and private lives, especially those related to economic empowerment. There are also differences between rural and urban women in obtainment of resources to start businesses. Urban business women are usually more educated than rural women; hence, they can better understand the systems and rules of starting businesses. Besides, urban women are closer to banks and financial institutions as well as social institutions than rural women who are still oppressed by social legacies that make them economically dependent on men and frustrate any attempts to break the rules.

2.2.3. Issue of ownership

The issue of ownership stands as an obstacle in the face of economic empowerment and blocks the way of women who seek to start a business. A number of measures were taken to solve the problem, such as the circulation of the Ministry of Social Affairs of May 9, 1996 directed at the social security funds. Following this circulation, a wife was able to obtain a loan from the funds, like the husband, to purchase real estate. Law 98 allows joint ownership of property of married couples. The circulation thereby creates a balance in marital life in appreciation of the increasing economic role of women in the household and society. The law does not touch upon the inheritance provisions. Article one of the law stipulates that joint ownership of property is optional where couples may select upon sealing the marriage contract or at a later date. The option seeks to make real estate a joint property of married couples, which they jointly share in their marital life. This law has impact on the women's economic empowerment and gives women new opportunities to engage in economic life side by side – with men with respect to ownership.

2.2.4. The work of the state and its institutions

There are a number of obstacles at this level, including:

- a. Slow progress in the area of implementing gender planning, although it was adopted during the early 1990s, because of lack of resources allocated for the ministry that supervises the planning committee, and also because of lack of coordination between the ministries that were assigned to implement parts of the gender institutionalization and integration processes at the central and regional levels.
- b. Lack of coordination between the women and development committee on the one hand, and the rest of the development plans preparation committees on the other hand. The women and development committee operates like an independent sector committee rather than a committee with horizontal sector mandates which would require it to interact with the rest of the committees.
- c. The continuation of the gap between the situations of rural women and urban women, especially in accessing and benefiting from the same services that are provided in a number of sectors such as education, health, starting small businesses, and loans.
- d. Lack of coordination during the implementation of the national plan to enhance the situation of rural women. A number of structures operate according to their tasks and objectives without there being a harmonization with the objectives of the national plan; hence, the budget of the national plan is not monitored and the implementation of the national plan is postponed every year.
- e. The ministries and agencies rely on international cooperation in implementing their plans and programs. The programs that are funded this way stop when the cooperation agreements are terminated. No new resources would be sought after such as state budget or new partnerships.
- f. The ministry adopts five-year comprehensive plans to enhance women's situations in general. The economic empowerment of women has not been treated individually in a special plan to be implemented in partnership with relevant parties.

2.3. Lebanon

The development of the labor laws in Lebanon does not ensure women in general, or specific groups of women in particular, to enjoy non-discrimination and equality (see the part that deals with this issue in this part of the study). No laws or provisions have so far been issued to unequivocally eliminate or instate discrimination against women. Despite the legislations that define the patterns of discrimination in some areas, Lebanon has not yet taken any legislative measures to enhance equal opportunities between men and women.

2.3.1. The right to work and economic participation

Lebanon adopted the Convention on the Elimination of All Forms of Discrimination against Women in 1996. However, the labor law, the social security law, and the employees' laws and bylaws have not been amended accordingly. In April 1999, a number of members of parliament adopted draft laws calling for amending articles in five laws, including the labor law, the social security law, employees' laws and bylaws, trade law, and the penal code so that they would be in line with the Convention on the Elimination of All Forms of Discrimination against Women.

Articles 26, 28, 29, and 52 of the labor law were amended. There are demands to amend articles 14, 26, and 46 of the social security law and cancel paragraph 2 of Article 16 of the same law. The labor law does not include domestic workers in its provisions which results in inhumane practices against them⁽¹⁴⁹⁾, according to a number of reports submitted to the International Labor Organization⁽¹⁵⁰⁾. The official parties are often urged to combat this social issue⁽¹⁵¹⁾; however, the measures taken in this regard are still limited in content and effectiveness.

2.3.2. Discriminatory practices and various impacts

Women are still subjected to different forms of discrimination including work conditions and allocating special functions and activities to women, which leads to unequal representation in scientific areas that are more effective and productive, making them exclusive to men. The most important obstacles women face can be summarized in the following: The rate of women's economic participation continues to be low despite the noticeable progress in their levels of education; lack of access on behalf of women to economic policy making and decision making positions; low salaries⁽¹⁵²⁾ lack of promotion opportunities; lack of sufficient support networks for women; and lack of benefiting from the social safety nets. Marriage and household responsibilities constitute obstacles in the face of women's work. This is because of lack of sharing of household responsibilities, the cultural and social legacies, the attitude of the society toward women's work, and the family pressure on women (which drops when women's educational levels rise and when there is more awareness about women's social roles as citizens).

2.3.3. Women and investment

The financial and organizational obstacles that face female investors in Lebanon are more than those faced by male investors. A study⁽¹⁵³⁾ finds that 64 percent of businessmen obtain bank loans compared to only 48 percent of businesswomen. The same study reveals that "The women who have small and medium businesses suffer from the high rates of rejection of their loan applications. Women are often required to provide collaterals that exceed the collaterals men are required to provide by 25 to 30 percent." Government's efforts cannot achieve the desired outcome unless there is willingness on behalf of women to be engaged in businesses. The figures of Kafalat (Collaterals) Institution can prove this. The 2009 figures released by Kafalat state that the collaterals given to companies partially or fully owned by women did not exceed 1009 out of 4281 collaterals (approximately 21 percent of the collaterals). The number of companies that applied for collaterals did not exceed 23 percent, or 1745 out of 7548 applications, which were approved, rejected, or cancelled.

149. Including locking up domestic workers in the workplace (the house), depriving them of rest, confiscating their passports, giving them minimal salaries, beating them, sexually assaulting them, and non-payment of their salaries

150. Ray Jureidini, *Migrant Women Domestic Workers in Lebanon*, report published in cooperation with ILO, 2001

151. Decision 5/1, issued on 17/1/2003 is concerned with the regulation of foreign domestic worker agencies. Articles 15-17 prohibit the abuse of foreign domestic workers by the agency and the employer, and guarantees the foreign worker's protection by law. However, the law does not include any provision in the case of non-compliance to these articles by the agency or the employer. The law simply foresees a friendly settlement of the dispute among the three parties involved, and to file a complaint at the ministry of labor if necessary.

152. Income by women in general according to recent statistical studies

153. <http://lkdg.org/node/4543>

A presentation by the Minister of Finance Raya Al Hasan of the findings of a study by the World Bank on Women's Participation in the Private Sector during the opening of the businesswomen's forum on Developing Businesswomen in Arab States in 2010. The forum was organized by the Union of Arab Banks and OECD

2.3.4. Discrimination against women in the unofficial sector

2.3.4.1. The legal and institutional framework

Women in the unofficial sector (agriculture, handicraft, small clothes manufacturing, etc.) still suffer from lack of legal protection. They do not receive appropriate salaries⁽¹⁵⁴⁾, or they receive no salary at all. Discrimination is practiced against women working in agriculture and seasonal jobs who have been ignored so far by the Lebanese labor law. Lebanon does not have allocations for developing rural areas that would contribute to women's empowerment opportunities and progress and contributions to agriculture. Most of the women in agriculture in rural areas are involved in family businesses or work for the account of the family, which explains the low level of recorded economic activity. The roles of small and medium farmers and [rural] women have not been recognized in developing the agricultural and economic policies. Therefore, women's impact in this area is almost unnoticeable. Women are not represented in the government, women committees, or the economic and agricultural development planning committees.

The rural Lebanese women are absent from the decision making positions though they play important roles in their families and communities since they work inside and outside home. Moreover, their extensive efforts are never appreciated or counted in production or income. They are deprived of their economic, political, social, and legal rights that are stated in the Lebanese constitution, which negatively affects their access and control of resources.

2.3.4.2. Access to public resources

There is also discrimination in provision of services. For instance, 40 percent of rural areas along the Lebanese borders are not linked to the water network. Women have to bring water from springs and wells. These areas are not connected to the public sewage networks, which constitutes health hazards since wastewater goes to valleys. The roads that link distant areas are damaged, causing problems to accessing and controlling resources. Though women take part in unions, they rarely occupy leading positions since they are not encouraged to do so. The Lebanese unions lack initiatives to adopt special laws and policies to protect the rights of working women.

2.4. Palestine

Many of the rights and liberties stated in the Palestinian Basic Law and legislations are not implemented because the relevant official parties have not yet set up the executive regulations required by the laws. This has impeded enforcement of many provisions in the laws and legislations since there is disagreement over their interpretation. Moreover, the areas under the control of the Palestinian National Authority have witnessed accelerating Israeli violations, with impact on women, such as the separation fence, the Israeli unilateral disengagement plan, confiscation of Palestinian land and water sources, severing and isolation of Palestinian areas, and the recent war on the Gaza Strip. Women suffer the patriarchal dominance as well as the Israeli occupation, which does not respect the most basic human rights.

Though the Palestinian National Authority allocated 7.7 billion dollars to implement the strategic plan 2008-2011, only 30 percent was allocated to development and reform programs, while 70 percent was allocated to cover the budget deficit. The reform and development plan 2008-2011 does not consider in general the differences between men and women. The plan includes the Palestinian government's commitment to gender issues. Such issues are included in the goals (the document of goals of the Palestinian National Authority), including the goal to improve people's lives, and to achieve justice in service distribution to develop social capital. However, the gender component was not among the engines of the five-year plan.

154. Enhance the conditions of women working in medical areas in Lebanon, Amel Association and the EU, <http://www.amelassociation.org>

2.4.1. The right to work and economic participation

2.4.1.1. The legal framework of work

The Labor Law of 2000 regulates the work in areas other than the civil service, which is regulated by the Civil Service Law. The Labor Law prohibits discrimination in work conditions in Palestine. Women are concerned with the entire provisions of these laws, not just the provisions concerning females. Working women have special provisions pertaining to the maternity leave and breastfeeding hour. The Basic Law (Article 26) includes provisions on equal opportunities in occupying public offices. However, the Civil Service Law stipulates in Article 53 that a husband receives an allowance on his unemployed wife (the allowance includes both married couples) and children until the age of 18. In the event that both married couples are civil servants, only the husband receives the allowance, according to Article 53. This discrimination emanates from exempting women from the burdens of support [of family] – though in fact they do support the family – and using it to justify depriving women of taking part in decision making and benefiting from production.

2.4.1.2. Discriminatory practices and various impacts

Women face negative discrimination in all phases of their lives. Families usually prefer male children to female children. The preference continues when the children become teenagers. Girls, especially in rural areas, are deprived of continuing their education because families prefer early marriage for their daughters, or because of financial difficulties. In this case, families would rather spend the little resources they have on educating boys rather than girls. There are also the Israeli imposed restrictions on the freedom of movement of Palestinian people, which make commuting between villages and cities dangerous and forces families to make their daughters leave school. The Palestinian rural areas lack education facilities and a reliable transport system. Even educated women cannot have a job because of the cultural legacies that view women as wives and mothers whose main task is to look after the house, husband, and children. Unemployment and the discriminatory texts of the Palestinian labor law also hinder the process of finding jobs for women. The labor law does not provide women with legal protection in specific cases. There is also lack of services such as nurseries, unequal pay, and transport problems.

2.4.1.3. Women and investment

The effective economic system in Palestine is the free market economy for all investors, according to Article 10 of the Palestinian Investment Law of 1998. The law meets the needs for economic development. It establishes controls and standards for investment in Palestine. However, the law does not consider or regulate women's participation in investment. It marginalizes women's role and access to the labor market to invest in it. Hence, the status of Palestinian women in investment is weak, and investment does not see effective women's participation.

2.4.2. Discrimination against rural women

Rural women, like the rest of the Palestinian women, suffer. However, the suffering of rural women from discrimination has special characteristics for a number of reasons, most importantly, the unfair treatment by the Palestinian Labor Law number 7 of 2000, which is effective in the West Bank and the Gaza Strip. The provisions of this law apply to all workers and employers in Palestine except the first degree family of the employer. Article 80 of the Law stipulates, "Following a system issued by the Council of Ministers based on a proposal by the minister and in coordination with the relevant parties, the workers in agriculture and other special careers may be exempted from all or part of the provisions of this chapter." Moreover, Palestinian women in general and rural women in specific are deprived of their right to inheritance. The Arab Women Progress Report 2004 states that the Arab customs and traditions deprive women of inheritance, especially in

rural areas, though the Islamic Shari'a gives a female a portion equivalent to half of the portion a male receives. This has negative impact on the women's economic situation. This shows how most rural women are deprived of the legal coverage enjoyed by other working groups since most rural women are engaged in agriculture. Hence, the law and the traditions have jointly reduced the development of the rural women and their economic empowerment.

2.4.2.1. The legal and institutional framework

The Labor Law does not deal with sexual harassment against women at the workplace. The legislator (in the Labor Law) also restricts women's obtainment of maternity leaves to having spent a period of one hundred and eighty days at work. The Law does not make the employer responsible for any of the expenses of childbirth or treatment. The Law does not enforce equal pay between men and women for similar work. Finally, approval of discrimination in the Labor Law without guarantees or penalties deprives the law of its meaning.

3. Regional and international obligations of states, enacting women's rights and equality

3.1. Jordan

3.1.1. Convention on the Elimination of All Forms of Discrimination against Women

Jordan endorsed the Convention on the Elimination of All Forms of Discrimination against Women in 1992. Article 11 of the Convention stipulates:

1. "States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular: (a) The right to work as an inalienable right of all human beings; (b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment; (c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training; (d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work; (e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave; (f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.
2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures: (a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status; (b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances; (c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities; (d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.
3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or

extended as necessary.” In this context, Article 22 of the Jordanian Constitution stipulates, “(i) Work is the right of every citizen, and the State shall provide opportunities for work to all citizens by directing the national economy and raising its standards. (ii) The State shall protect labor and enact legislation therefore based on the following principles: (a) every worker shall receive wages commensurate with the quantity and quality of his work. (b) The number of hours of work per week shall be defined. Workers shall be given weekly and annual days of paid rest. (c) Special compensation shall be given to workers supporting families and on dismissal, illness, old age and emergencies arising out of the nature of their work. (d) Special conditions shall be made for the employment of women and juveniles. (e) Factories and workshops shall be subject to health safeguards. (f) Free trade unions may be formed within the limits of the law.”

Based on the constitutional provisions and Jordan’s international commitments, the national legislations entitle Jordanian working women to rights, which take into consideration women’s practical and strategic needs. For instance, the Civil Service Law was based on the principles of transparency, justice, equal opportunities, and non-discrimination on the grounds of sex in treatment of employees in all issues related to the employees’ rights and their national duties and responsibilities.

3.1.2. The Equal Remuneration Convention 100 of 1951

The Equal Remuneration Convention 100 of 1951 of the International Labor Organization was adopted on June 29, 1951. It urges member states to ensure the principle of equal pay between male and female workers for conducting the same work in the national laws and regulations, or in any new legal system that regulates wages or the contracts between employees and employers, or in more than one of them. The convention is one of the key conventions that restrict wage discrimination between men and women. However, working women face discrimination in wages compared to men. The monthly salary gap between men and women in Jordan registered 46 dinars (average monthly men’s wage in Jordan is 390 dinars compared to 344 for women). While the average wage of women in the public sector is 19 dinars higher than that of men (average monthly wage of women is 337 dinars compared to 319 for men), the wage gap in the privates sector is high for men at 87 dinars (average monthly women’s wage is 335 dinars compared to 442 for men).

3.1.3. Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

Discrimination (Employment and Occupation) Convention, 1958 (No. 111) is an important convention since it contributes to women’s participation in decision making. The Convention was adopted on June 25, 1958 and Jordan endorsed it in 1963. According to the Convention, state parties promise to set up and implement national policies that seek to encourage equal opportunities and equal treatment in employment and occupation in order to eliminate any discrimination in employment. The Convention stipulates that “the term «discrimination» includes:

1. (a) Any distinction, exclusion or preference made on the basis of race, color, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation; (b) Such other distinction, exclusion or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation as may be determined by the Member concerned after consultation with representative employers’ and workers’ organizations, where such exist, and with other appropriate bodies.
2. Any distinction, exclusion or preference in respect of a particular job based on the inherent requirements thereof shall not be deemed to be discrimination.

3. For the purpose of this Convention the terms «employment» and «occupation» include access to vocational training, access to employment and to particular occupations, and terms and conditions of employment.”

3.2. Tunisia

Tunisia's compliance with the issues of equality between men and women is rooted in Tunisia's endorsement of international human rights conventions in general, and in equality between men and women in specific.

3.2.1. General human rights conventions

Tunisia has given much attention to women and their basic rights. It therefore endorsed most of the international conventions that aimed to protect human rights and ensure the basic rights of all human beings and combat all forms of discrimination. The United Nations has since its establishment developed and endorsed many international conventions such as the Universal Declaration of Human Rights. Article 2 of the Declaration stipulates that “Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race.”

Tunisia joined the International Covenant on Economic, Social and Cultural Rights, which stipulates in Article 3 that “The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the present Covenant.” Tunisia also endorsed the Convention on Consent to Marriage, Minimum Age for Marriage, and Registration of Marriages of November 21, 1967 with no reservations, as well as the Convention on the Political Rights of Women, 193 U.N.T.S. 135, entered into force July 7, 1954 with reservation on Article 9, which is related to settlement of disputes which may arise concerning the interpretation or application of this Convention.

3.2.2. Convention on the Elimination of all Forms of Discrimination against Women

The international tools were crowned by the Convention on the Elimination of All Forms of Discrimination against Women, which Tunisia endorsed on July 12, 1985. However, Tunisia has a number of reservations on the Convention, including (first) the government won't make any decisions or regulations or legislations in line with the Convention that would violate the first article of the constitution; (second) reservation on paragraph two of Article 9, which must not violate Article 6 of the Nationality Act; (third) reservation on paragraphs c, d, f, g, and h of Article 16 (Tunisia declared that it would not comply with paragraphs c, d, and f, and that paragraphs h and j must not violate the provisions of the Personal Status Act concerning giving the family name to children and transfer of ownership through inheritance); (fourth) reservation on Article 29 since Tunisia declared that it was not committed to paragraph 1 of the Article since disputes must not be lodged at arbitration or the International Court of Justice unless all parties agree; and (fifth) reservation on paragraph four of Article 15 since the Tunisian government stressed the women's right to choose their place of residence, which should not be in a context that violates the provisions of the Personal Status Code especially articles 23 and 61. However, the reservations were lifted except for the first reservation. The decision was taken during the session of the council of ministers on August 16, 2011.

It is worth noting that the Tunisian constitution has been suspended and no one knows what the new first article of the constitution would look like. Official decree number 103 of 2011 was issued on October 24, 2011. The decree is on withdrawal of the reservations of the Tunisian State (law number 68 of 1985 of July 12, 1985) to the Convention on the Elimination of All Forms of

Discrimination against Women. The first Article of the decree reads, "It has been approved to withdraw Tunisia government's reservation on paragraph 4 of Article 15 of the Convention on the Elimination of All Forms of Discrimination against Women, including paragraph 2 of article 9 and paragraphs c, d, f, g, and h of Article 26, annexed to law number 68 of 1985 dated July 12, 1985 on endorsing the Convention on the Elimination of All Forms of Discrimination against Women." It is worth to note that the general reservation was not removed.

In 2008, Tunisia endorsed the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women which allows women to defend their violated rights collectively, or individually, through submitting reports to the temporary Committee on the Convention on the Elimination of All Forms of Discrimination against Women provided that all national procedures had been fulfilled.

3.2.3. Acknowledging the rights of the working women

Though women have obtained high status within the household through creating mechanisms that support their status as mothers, wives, and custodians, the Tunisian laws took into consideration the positive role that women could play in the economic cycle, which may ensure their independence and further support their role. To this end, Tunisia endorsed many international conventions that directly or indirectly support women.

In addition to the international recognition of women's human rights, the International Labor Organization focuses on the working women's economic rights. The organization also seeks to protect women's health and safeguard them ethically. ILO also seeks to eliminate all forms of discrimination against women. Hence, it has issued a number of conventions on issues related to working women in many areas. Moreover, the organization regulates women's night work (the Convention of 1948); equalizes men and women wages (Equal Remuneration Convention 100 of 1951); prohibits employing women underground (the Underground Work (Women) Convention, 1935; and regulates women's right to association (ILO Convention Freedom of Association, July 9, 1948).

The international organization also produced conventions that protect maternity and promote non-discrimination in employment, secondment, etc. Tunisia endorsed the most important conventions that strengthen equality between men and women, including the Convention No. 111 Discrimination (Employment and Occupation) 1958 on August 20, 1959; the ILO Convention against Discrimination in Education on July 26, 1969; the Equal Remuneration Convention 100 of 1951; C117 - Social Policy (Basic Aims and Standards) Convention, 1962 (No. 117); and ILO Convention 122, Employment Policy.

Tunisia also endorsed the Convention on the Elimination of All Forms of Discrimination against Women, and joined the Barcelona framework and the ministerial conference in Istanbul in 2006 where it declared commitment to its recommendations. Tunisia also joined the partnership agreement with the European Union to enhance its internal mechanisms and institutions and improve its competitiveness. The country also sought to implement changes to its structure and legislation, amend the systems of the institutions, and create new financing mechanisms in order to integrate the various components of the society in the new economic cycle. Therefore, Tunisia issued the Investment Promotion Code in 1993 and the Financial Leasing Law in 1995, and reviewed the law of the lending institutions and issued the commercial companies act. The international tools are important to ensure the rights and freedoms of the individuals. However, it is necessary that they are accompanied by effective will in implementing the international commitments through local laws.

3.3. Lebanon

3.3.1. The rights of the working women and the equality principle / non-discrimination

The new Labor Law was amended in a positive manner for working women. The contents of the law can be summarized in the following⁽¹⁵⁵⁾:

- a. Modernize and develop the labor law to be consistent with the socio-economic situation and the provisions of the Arab and international labor agreements, which Lebanon adopts, and the principles of the basic agreements and the recommendations of the ILO and Arab countries, which have not been endorsed by Lebanon yet.
- b. Integrate legislations pertaining to labor issues. The entire legal rules of labor and labor relations are gathered in one law, excluding the social security.
- c. Consider the interpretations of the arbitration sessions, which solved many disputes, and explain their texts to facilitate labor relations and integrate interpretation of law and courts' functions.
- d. Eliminate all forms of discrimination between men and women in line with the relevant Arab and international agreements.

The Lebanese government urges actual implementation of direct and indirect non-discrimination in employment and occupation in accordance with the International Labor Organization's Convention No. 111 Discrimination (Employment and Occupation) 1958. The labor law allows employees to quit their jobs in the event that they, or any of their family members, were subjected to immoral acts by the employer. The penal code also punishes the employer for committing sexual harassment against the employees. The Committee⁽¹⁵⁶⁾ indicated that the government had not made any decisions concerning discrimination in employment. The Committee also stressed the key role played by the legal and vocational controls to enhance equality in opportunities and employment. The Committee requires the government to provide sufficient information on legal and administrative decisions and vocational control activities.

Lebanon has not endorsed the Equal Remuneration Convention 100 of 1951 of the International Labor Organization. However, Article 56 of the Lebanese draft labor law calls for equal remuneration between men and women and prohibits discrimination on the grounds of sex. Based on legislative decree number 29 of May 13, 1943, which stresses that women who conduct works that are similar to works conducted by men must have equal remuneration, the Committee draws the government's attention to the difficulty of applying the Convention since the purpose of the concept of "equal value work" has not been grasped.

The Committee submitted to the government other remarks on the following:

- Payment of employment benefits and family allowances must be equal between men and women in the labor law, which in its current form includes a number of discriminatory patterns such as
 1. Payment of benefits (family allowances): The national social insurance fund gives allowance to the father if both parents meet the conditions. Mothers are excluded from marriage benefits, which violate the principle of equal remuneration between men and women for equal jobs.
 2. Exclusion of domestic workers and agriculture workers (including foreign workers).

155. <http://www.saidaonline.com/news.php?go=fullnews&newsid=39094>:

In February 2011, the Minister of Labor Butrus Harb conducted a press conference on the new labor law, which included the most important amendments. The law was the product of months work of a committee of lawyers and law professors and law experts. The amended law was submitted to the state council and the secretariat of the council of ministers for discussion before submission to the parliament for approval.

156. Second and fourth parts of the report

- Apply equality at public administration employment based on skills and qualifications and without any discrimination on the grounds of sex. According to statistics, women rates at the public sector are low, especially at the high positions. This requires the government to take decisions concerning employment and promotion.
- Lack of job descriptions in the public sector, which hinders any objective assessment.
- Commitment to group contracts and applying them to the private sector on non-discriminatory basis in accordance with the labor law at banks, hospitals, seaports, energy producing companies. etc. Also, provide contracts and information on arrangements taken to end differences in remuneration between men and women at small and medium businesses. The Committee encourages continuous collection of statistics on the distribution of men and women on positions by sectors and on salary levels, and submits a report on that.
- Implementation and control at work to ensure receiving complaints on discrimination in wages between men and women even at small businesses where such complaints are dealt with by the Ministry of Labor or the courts.

3.3.2. New provisions on non-discrimination and equality

The amendments of the law contribute to obtainment of women's human rights and equality between men and women. This can be shown in the individual work relationships through direct and indirect arrangements and procedures focusing on gender and issues related to women, such as maternity leave and breastfeeding breaks, or men such as the paternity leave. However, the focus shall be on equality between men and women and on non-discrimination based on sex:

- a. The principle that an employee must agree to the tasks assigned by an employer;
- b. Protection against all forms of discrimination on the grounds of ethnicity, color, religion, sex, political affiliation, nationality, or social origins;
- c. Organize of part time work and grant paid training leave;
- d. Protect the rights of the children and their health and safety at work;
- e. Define the minimum work age;
- f. Define the maximum number of work hours;
- g. Impose medical checkups and define breaks and vacations and the right salary for the number of working hours;
- h. Define the periods and jobs that must not involve juveniles, or that need to have special conditions for employing juveniles, and prohibition of the worst cases of employing children and juveniles;
- i. Increase the maternity leave to ten weeks. Women must not come back to work before fifty days of childbirth. Give women periods for breastfeeding of one hour a day. Also add the following leaves: Marriage, paternity, and bereavement (the death of a relative, including 4th degree of relation);
- j. Define daily work hours by 8, and 48 by week;
- k. Define the maximum hours of overtime, and allow employees extra time off in case of overtime, and link the annual leave period to time spend on the job, which means that annual leaves increase as time spent on the job increases.

3.4. Palestine

3.4.1. Legislations and laws to eliminate discrimination against women

Palestine inherited a number of legislations from the different governments that ruled it. Some of these legislations contradict with the most basic rules of equality between men and women and they do not ensure women's human rights.

Though the Palestinian Authority does not enjoy the status of a state⁽¹⁵⁷⁾, based on which

Palestine may not endorse international conventions since it is not a full member of the United Nations, the president of the Palestinian Authority, Mahmoud Abbas, endorsed the CEDAW in 2009 and declared his commitment and that of the prime minister's to supporting women in line with the Palestinian Basic Law. This means that the CEDAW is a reference to legislators when drafting new laws and legislations and when amending effective laws and legislations to be consistent with the CEDAW. The President also declared that the Palestinian National Authority was unilaterally committed to the Universal Declaration of Human Rights and the international conventions concerning human rights.

The President also instructed the Council of Ministers, after signing the CEDAW, to develop and amend the laws and legislations that discriminate against women. Moreover, the Palestinian Basic Law prohibits discrimination on the grounds of sex. The elections legislations and the local councils' elections law give women advantages, such as the quota, to ensure women's representation in the Palestinian Legislative Council and local councils.

Though the Palestinian legislations endorsed by the Palestinian Legislative Council are consistent with the international standards and principles, such as the labor law, the civil service law, the child law, general elections law, charitable societies' law, the Palestinian Legislative Council has been dysfunctional since 2006. Therefore, the effective laws and legislations, which Palestine inherited throughout a long history of foreign rule, have not been amended, including those that discriminate against women.

3.4.2. Legislations and laws concerning relevant economic rights and social rights

The legislations concerning labor, civil service, and investment address men and women equally. The labor and civil service laws give women special rights for their reproductive role: They give women a 10-week maternity leave, and a paid one hour off every day for breastfeeding during the first year of childbirth. The law prohibits employing women in hazardous or difficult jobs or in those that involve night work – with some exceptions to night work.

According to the effective legislations of Palestine, women have independent control of their financial matters, which means that women can handle their financial matters independently of men. Women in Palestine may legally own and handle land and real estate. They can also become partners in business deals and economic activities. The effective legislations in Palestine allow women to sign contracts and open bank accounts. Undoubtedly, the circulation of the chief justice of the Shari'a courts, which prohibits registration of takharuj (relinquishment of inheritance rights) before four months of the passing of the decedent, is an achievement for women and a guarantee for their rights from manipulation and mishandling. The Nafaqa Fund Law of 2005 was approved to enable Palestinian women to obtain the default Nafaqa (wife's support including food, clothing, and shelter) that are processes at regular and Shari'a courts in Palestine.

157. The Palestine Liberation Organization enjoys the status of observer in the United Nations; hence, it is committed to respecting the Charter of the United Nations and the human rights declarations and decisions related to it.

158. An officer at women's organization

III. CHALLENGES AND OPPORTUNITIES FOR INTERVENING BODIES

1. Challenges

According to the findings of the rapid assessments, the most significant challenges facing economic empowerment – in the opinion of the respondents and representatives of the organizations that are involved in economic empowerment, and the experiences of men and women – can be summarized in the following:

1.1. Jordan

1.1.1 Political Challenges

- Lack of implementation and activation of the policies and mechanisms of economic empowerment of women in Jordan. "There is political will [for economic empowerment of women] and at the level of vision and high policies and plans. However, at the lower levels there is a problem with implementation," according to a woman in a leading public sector position.
- Lack of political participation on behalf of women. A woman in a leading public sector position said, "Political empowerment affects economic empowerment. For better economic empowerment women must have better participation in decision making and policy making."
- Men failed to understand the requirements and priorities of women when they monopolized the decision making positions that affect women's issues. "When the projects are headed and implemented by men, they wouldn't know the real requirements and needs of women," according to a woman in a leading public sector position.

1.1.2. Legal Challenges

- Legislations lack effective monitoring and accountability mechanisms. "We have frozen laws, including the constitution. These laws are in favor of women but they are frozen. These laws are not enforced. This influences projects, too," according to an officer at a lending institution
- Loopholes in legislations: These legislations include the social services system and the labor law, which does comprise articles preventing discrimination against women at the workplace.
- 1.1.3. Economic Challenges
- The economic situation in general and the high rates of poverty and unemployment.
- Difficulties in obtaining financing for development projects, and the existing competition between the civil society organizations over financing. The lending services provided to women are concentrated in micro and small lending.
- The work environment lacks favorable factors and facilitations as well as support services for women, especially married women, to have a place in the market.
- Women prefer to work in the government sector for many reasons including stability and sustainability.
- The value of women work at home is not factored into the national income accounts.
- Marketing the products of small businesses and the quality of their packaging.

1.1.4. Institutional Challenges

- **Lack of stable political administration at government institutions:** The frequent cabinet reshuffle reduces the effectiveness of the mechanisms allocated for women or gender. Mechanisms include units, sections, departments, and committees. "The cabinet reshuffle affects us very much. Each minister has his/her logic and method. One [minister]

would say to us work on policies, the other would say to us work on employment ... there is no institutionalization ... this is frustrating ... if we have a four month progress, the new minister would send us eight months back."

- **Male culture at the workplace:** The male culture affects the effectiveness of the women's and gender mechanisms at government agencies. The awareness and training programs of gender and gender integration in the work of the agencies are rarely considered by employees and officers. "Employees do not take the issue [of training] seriously because they consider it rather complementary than basic. Two thirds of the employees wouldn't go to training. The manager would describe the training as "nonsensical women's tales and it should be okay not to go to it," as described by a woman in a leading position of a public sector.
- **Challenges related to the efforts of the women's empowerment development institutions:** These challenges include
 - a. Weak coordination that causes duplication of programs. "More than one agency works on the same thing. You work on something and you would be surprised to find out that another agency is working on the same thing. If we cooperate using our expertise, we will save time and make achievements: Coordination of national efforts is highly problematic," according to a woman in a leading position of a public sector.
 - b. Competition over financing: "Lack of financing affects us and our businesses... the biggest problem in the civil society sector is the competition over funding," as described by a woman in a leading position of a public sector. The donors become reluctant in granting funds whenever there are political or economic crises in the region, which affects the available funds for micro and small businesses that benefit women in the first place.
 - c. Lack of monitoring and evaluation efforts for the performance of institutions and the feasibility of the programs and projects provided. The weak evaluation of the efficiency of mechanisms increases the cost of institutional functioning. "We spend a lot on training programs. There are many training projects and many training initiatives. Frankly and unfortunately, the issue (assessment of feasibility and continuity) has not been assessed appropriately or objectively," said a woman in a leading position of a public sector.
 - d. The traditional management method and lack of renewal of training areas to meet labor market needs. "They still use an ancient mentality in management. Their work is backward. The topics (of training) are known and the same awareness can be derived from TV," says a woman in a leading position of a public sector.

1.1.5. Socio-cultural challenges

According to the participants of the study, the socio-cultural challenges are the most prominent challenges in the process of economic empowerment of women because of the dominating male dominant culture in the society and its destructive traditions and customs. There are many practices and views that are still deeply rooted in the mentalities; these hinder women's empowerment. The impact of socio-cultural challenges varies from one environment or family to another. Examples of the impact of cultural factors can be found in the area of enforcing Jordanian legislations. "The practical aspect and the society's culture are the problems. Law does not differentiate between men and women. The issue is more cultural than legal. The law does not stop women from owning [property] or inheriting or working."⁽¹⁵⁸⁾

The socio-cultural challenges can also be seen in the negative perception of the society with respect to women, "The taboo culture and the way the society looks at women's work in some sectors."⁽¹⁵⁹⁾ Or the strong belief among the majority of men that women's role and work should

158. An officer at women's organization

159. An officer at women's organization

be limited to the house. A man said, "Women have their respect and rights at home. If I can afford it, I will keep [the woman] at home and pamper her without her having to do anything." Another man said, "I can't stop my wife from working at home! She can have a [sewing] machine and work at home to help her husband."

This statement shows that men approve of women's work as long as it is at home, not outside, and that the purpose of the work is to help the husband, which is considered an inherited division of work according to gender. The stereotyped image of women in the dominant culture is that they are feeble and cannot have control and make decisions. According to a programs and training officer of a government agency, "Even if women own [property] in their names, they can't control it because they are women. The husband, son, brother, or father has control because they think that women cannot take decisions. The thing that hinders women most in owning businesses is [that they lack] the freedom of movement, especially at the governorates where communities are small and do not like women to travel a lot without a male companion. This is due to the culture of the society and fear of reaction. Hence, half of the society is quasi-paralyzed."⁽¹⁶⁰⁾

Additionally, women face the gap between the law and the practice [reality] in the right to freedom of movement. Many women in east Amman, who are reluctant to go to nearby [charitable] societies, said that, "The fear is from the community. [People] would wonder why women go out of the house, and where they go. The neighbors stake out women."⁽¹⁶¹⁾

Hence, the challenges related to the freedom of movement are not limited to distant governorates in Jordan, but can be found in Amman, too. The experiences and conditions of most unemployed women reflect the same situation, which is the product of a male chauvinistic culture where there is early marriage for girls that deprives them of continuation of education and reduces their chances of work. "I am not educated, what can I do?"⁽¹⁶²⁾ Where women have children and husbands say no to women's going out for work, the alternative in this situation is micro traditional home businesses, "I can't go out ... my husband is a little fanatic."

Moreover, the taboo culture affects the daily life and the personal choices. The dominant opinion is to consider the woman's body as a "taboo", ignoring the human part and that a woman is fully entitled to her rights as a woman. Therefore, women may be subjected to verbal abuse that may harm their reputations indirectly, which makes it hard to persuade husbands to allow their wives to work at hotels, for instance. Moreover, there is always the "people talk" issue, especially when working until late at night (eleven at night for doing the evening shift at a hotel, for example). A woman said, "I had to work from 8 in the morning until 8 in the evening. I heard people say "Who knows where she goes." There are people who still think that going out of the house is a taboo for women. They would talk about women [going out to work]; they say such women are not under control. I suffered a lot due to this attitude. People need awareness."

The university students in the focus groups said that the taboo culture (something the society rejects) would affect them when they choose from available jobs if they couldn't find the jobs that are suitable for their specialty. "It is impossible that I work in construction. What would people say? And how would my colleagues and friends look at me? We have to face reality ... I am against this bad culture but I am compelled to obey it." The "taboo" culture "has less impact on men; they are not treated like women. People would shame the father through his daughter when they ask why the daughter works at this or that place," according to a university female student in the focus group.

160. Officer at lending institution

161. Training and lending beneficiary, home business owner, focus group

162. Unemployed, has 5 children

However, the financial need reduces the impact of the taboo culture, "If my family were needy, I wouldn't care about people's talk.⁽¹⁶³⁾ " And that "The economic conditions make husbands look for jobs for their wives.⁽¹⁶⁴⁾" The greater impact of the taboo culture can be seen when women work until late at night at hotels while men are forced to give their consent to such work because they need the money desperately. A woman said, "It was hard to convince him [the husband] because people talk about women who work at night; they would say "We wonder where they go?⁽¹⁶⁵⁾ " The success stories where women prove that they have the capacity to succeed and enhance their self esteem affect other women and reduce the pressure of the society and the households on women. "When a business [run by a wife] generates profit, the husband becomes enthusiastic to it.

The women's success stories have changed many of the concepts in many of the communities that are far away from Amman.⁽¹⁶⁶⁾ "We have special projects for distant communities. These projects altered the way people viewed women's work. I witnessed the changes to women's situations. Their personalities changed completely. Their families trusted them. There was a change. There are women who support their families, and the families appreciate such support. Many women support their sisters and brothers who study at universities. There are women who completed their university study.⁽¹⁶⁷⁾ " "She took out a loan and works in tailoring. She said she would help me and support herself in the situation we live in. I am happy that she stood by me and didn't leave me. Hadn't it been for the difficult situation, I wouldn't have let her work. I would have made her the lady of the house and pamper her. I would make her care more about herself and the children. Things are hard. I am not happy that she has to work and that I am unable to work.⁽¹⁶⁸⁾"

1.1.6. Challenges related to women's self-perception

Challenges related to the self-perception of women are among the most important challenges of economic empowerment of women. "The social and family conditions affect women; however, women have key role.⁽¹⁶⁹⁾" Women who know little about themselves, their rights, and their issues and have little self confidence and little confidence in their capabilities cannot become decision makers, or gain authority. Consequently, they cannot achieve empowerment. The difficulties that women, including rural women who are self-employed, face include economic and financial difficulties such as obtaining the capital and financing, the production quality and packaging, marketing, transport, distance, and movement difficulties.

The difficulties also include having limited freedoms, and also having difficulties in being recognized because of their work in the unofficial sector. Job opportunities are few, especially those available for female university graduates at rural areas because the public sector jobs are filled, and joining the private sector at cities' centers, which requires traveling, is difficult since men and traditions wouldn't allow. However, some say that this must not be generalized, "Some women in distant rural areas are empowered and can decide for themselves. I don't think that the locality has anything to do with this.⁽¹⁷⁰⁾"

The policies, laws, and mechanisms of economic empowerment in Jordan have not given women the opportunities to obtain sufficient resources; unlike financial income and loans. Obtainment of resources does not always mean having control over them. This is due to lack of own resources of

163. University student in the focus group

164. Officers at government agency

165. Beneficiary from Izdihar project

166. Program and training officer, government agency

167. Officers at government agency

168. Husband of a beneficiary in the focus group

169. Woman in leading position in the public sector

170. Woman in leading position in the public sector

women, such as education and knowledge of their own rights and capacity to take decisions. It is also due to the difficulties women face when they encounter the male chauvinistic culture, which impacts women's economic resources. "Legally, women should control their salaries since the salaries go to their bank accounts. However, there is the men's control over women.⁽¹⁷¹⁾" A loan taken by a woman may not be used to start a business to benefit her since there is exploitation of women and control over their resources. "Men (husbands) force women (wives) to take out loans from the projects that give women's loans (loans are specially allocated for women) and they take the money. This is the problem in Jordan," said an officer at a lending institution. "Men use women's programs for their own benefit. This is where we come in through monitoring projects.

However, monitoring is hard and costly. We do our best.⁽¹⁷²⁾ Consequently, the deprivation of women of their legal rights to ownership and movement makes it difficult for them to own businesses. "For a woman to take out a loan and start a business, she needs to own real estate or have cash money. Even when women own something, they do not control it because the control is in the hands of the husband, the son, the brother, or the father. They believe that women cannot take decisions. The most prominent challenge that stands in the way of women owning businesses is the lack of freedom of movement, especially at governorates where communities are small and women's movement is not desirable. Therefore, if [business] women need to go to the nearest town to buy goods, they would need a man to accompany them⁽¹⁷³⁾"

In conclusion, the problem is not with the distribution of resources, but rather with the unjust distribution of opportunities to access the resources since "If we give women the opportunity, build their capacities and qualify them to access resources, they would make wonders.⁽¹⁷⁴⁾" There are women who made it to awareness programs, training, and information and became capable in deciding for themselves. They could defend their rights and interests, which caused a major shift in their personalities, lives, and relationships at all levels.

On the other hand, there are women who are unemployed and have no resources. They cannot defend their interests and rights. They become subjected to violent husbands and miserable lives "A person who is not economically empowered will always be under the control of the other [person on whom he/she depends] and the other would shape the life of the [dependent] person." A male participant gives a real life example about a woman who has no control over her monthly salary: "If the woman (wife) gives her salary to her family, the man [husband] would say "the salary is mine", because it belongs to his wife. He thinks he is in control, she belongs to him, and everything she owns is his." Alternatively, a female participant gives a positive example, "My father has a car in my mother's name. Most things are registered in my mother's name. He trusts her; they complete each other."

1.1.7. Weak participation of women in economic and political decision making concerning women's empowerment

Weak participation is among the obstacles of women's economic empowerment. Men fail to understand the requirements and priorities of women as they monopolize the decision making positions that affect women's issues. "When the projects are headed and implemented by men, they wouldn't know the real requirements and needs of women," according to a gender officer in a government agency. "When men draft laws and implement laws, what do you [as a woman] expect?"⁽¹⁷⁵⁾ The majority of respondents agree with the following opinion: "Political

171. Officer at women's organization

172. Officer at lending institution

173. Officer at lending institution

174. Officer at women's organization

175. Program and training officer, government agency

empowerment affects economic empowerment. For better economic empowerment women must have better participation in decision making and policy making. [Women must have] fixed quota in ministries and major committees that discuss economic issues. The more women understand women's issues, the more they believe in them, and the more they are capable of making a difference."

Moreover, women cannot reach decision making positions without "strong pressure through the quota; however, these women need to be qualified⁽¹⁷⁶⁾." Participants in the study believe that failure to enable women to take part in the decision making process makes political and economic crises affect women more than others. Specifically, women's economic empowerment is affected in times of crises because donors become reluctant in granting funds and prefer to wait until the situation stabilizes, which affects the available funds for micro and small businesses that benefit women in the first place. "Many women who have small fashion stores cannot compete with the big fashion stores that can afford to have big sales. Big stores have big capital, whereas small stores have small capital. Such competition often leads to closure of small fashion stores. Women are more subjected to release from work since they do not have social security or health insurance.⁽¹⁷⁷⁾"

1.1.8. Effectiveness of gender mechanisms ... dispersed institutional efforts

It seems that the achievements of creating mechanisms for women or gender, such as units, sections, departments, and committees, do not necessarily mean that these mechanisms have an effective role in making policies, planning, and decision making. It does not also mean that the institutional environment is ready to support such mechanisms. An officer at a gender mechanism blames this on the lack of administrative and political stability. "The cabinet reshuffle affects us very much. Each minister has his/her logic and method. One [minister] would say to us work on policies, the other would say to us work on employment ... there is no institutionalization ... this is frustrating ... if we have a four month progress, the new minister would send us eight months back."

This would look like a normal outcome of frequent change in senior management; it also applies to other units and sections. "Decision makers are always men; women always have to face this. Whatever we [women] do, we must convince the person in charge [the man] who has the final say. Failure to convince him means things wouldn't work. This is a problem; things become personal⁽¹⁷⁸⁾ " A gender officer at a government agency says, "If there were changes to plans or strategies, the extent to which the manager is convinced of the idea would determine our involvement."

The efforts of the mechanisms for women are not taken seriously at government agencies. The awareness and training programs of gender and gender integration in the work of the agencies are rarely considered by employees and officers. "Employees do not take the issue [of training] seriously because they consider it rather complementary than basic. Two thirds of the employees wouldn't go to training. The manager would describe the training as "nonsensical women's tales and it should be okay not to go to it. ⁽¹⁷⁹⁾ " A [male] employee says about going to training, "I am going to enjoy the women's tales. ⁽¹⁸⁰⁾ " This shows the extent to which the male chauvinistic culture is dominating the functions of the institutions that are supposed to deal with citizens' issues subjectively, impartially, and justly. This also tells us that it is important to have women in the positions that decide on women's issues and empowerment.

176. Empowerment program officer at a civic organization

177. Consultant, government agency

178. Officer in government agency

179. Officer in government agency

180. Officer in government agency

In addition to weak mechanisms, there is also weak coordination that causes duplication of programs and waste of development efforts on women's empowerment. "More than one organization works on the same thing without any coordination sometimes. You work on something, and you would be surprised to find out that another organization is working on the same thing. If we cooperate using our expertise, we will save time and make achievements. Coordination of national efforts is highly problematic."⁽¹⁸¹⁾

However, joint efforts require time and work. "Coordination and correspondence and follow up take a lot of time; it's an obstacle." This is due to competition over financing among organizations. "Lack of financing affects us and our projects ... the biggest problem in the civil society sector is the competition over funding. I think our work is dependent on the priorities of the international organizations. Hence, if they focus on violence against women, [civil society] organizations would change their focus and work on violence against women. You would find 3 to 4 organizations in some areas working on the same thing without coordination."⁽¹⁸²⁾

The high institutional cost [from an efficiency perspective] can be blamed on lack of monitoring of the performance of institutions and the programs and projects provided. Weak evaluation mechanisms also increase the cost of institutional functioning. "We spend a lot on training programs. There are many training projects and many training initiatives. Frankly and unfortunately, the issue (assessment of feasibility and continuity) has not been assessed appropriately or objectively. There are progress reports, but there is no actual assessment of the feasibility, continuity, or discontinuity. Training is highly costly. Civil society organizations or governments take funding for training. We don't know the outcome of the training, or its impact on the labor market. This is what we should be thinking about."

The sector lacks data, information and documentation of activities and achievements despite the some national initiatives in this regard. Moreover, the traditional management method and lack of innovation in programs affect the effectiveness of interventions. "They still use an ancient mentality in management. Their work is backward. The topics (of training) are known and the awareness can be derived from television. They do not have mechanisms that would assist us in cooperating with them, or reaching target groups through them."⁽¹⁸³⁾

However, a number of civil society organizations opted for innovation of their programs taking comprehensiveness and creativity into account. "We must work on self – development in order to empower women. We must also work on health, social, economic, and legal empowerment in order to empower women at all levels. We do not provide traditional training of the past to girls so that they would be able to access the market and sell what they have. Training is based on studying the needs of the girls and their willingness and choices."⁽¹⁸⁴⁾ The training courses included plumbing, and maintenance of electric and electronic devices. "Now we consider sustainability of projects. We must monitor and evaluate until the end of the project. We must evaluate the projects based on performance indicators to know which project should continue to exist."

1.1.9. Knowing and enforcing the law

Women have made achievements in the areas of legislations. The participants appreciated the Jordanian legislations; they asserted their progress and the successes Jordanian women made in this regard. However, the legislations still need amendment and they still face many challenges since some practices show a number of loopholes. "The labor law is among the advanced laws in the Arab region; however,

181. Officer in government agency

182. Consultant in government agency

183. Head of programs and training at a government agency

184. Head of empowerment program, civic society organization

there are shortcomings. The law does not say clearly that it is prohibited to discriminate against women at work. We have discrimination problems. When we talk about discrimination, work inspectors say there are no legal grounds for our claims. There are no legal texts that would allow work inspectors to inspect discrimination claims. The word discrimination is not actually mentioned. We need a law that clearly indicates that discrimination between men and women is a punishable act. We are working on amending the law.⁽¹⁸⁵⁾ Problems also include lack of equal pay and training opportunities.

Women's interests are harmed by lack of law enforcement since when the law is not enforced, society's traditions replace it. Such traditions are often not constructive; for instance, depriving women of their legal right to ownership and their right to freedom of movement constitute key factors of women not being able to own their businesses. "For a woman to take out a loan and start a business, she needs to own real estate or have cash money. Even when women own something, they do not control it because the control is in the hands of the husband, the son, the brother, or the father. They believe that women cannot take decisions. The most prominent challenge that stands in the way of women owning businesses is the lack of freedom of movement, especially at governorates where communities are small and women's movement is not desirable; hence, if [business] women need to go to the nearest town to buy goods, they would need a man to accompany them. We have frozen laws, including the constitution. These laws are in favor of women but they are frozen. They are not enforced. This affects businesses, too."⁽¹⁸⁶⁾

The responses of the targeted women in the focus group on their human rights vary. The impoverished unemployed respondents who did not join awareness programs in the society stated that the law did not have presence or influence in their lives. It seemed naïve to ask them about their human rights though such rights constitute the base of their existence. One unemployed woman said, "I live like others. There are people who find food and clothes. Poor people die before they make it to the hospital. This is not fair." Another unemployed woman said "Human rights means that poor people may lead a decent life without being exploited." Women who had joined awareness and training programs at the society know about their rights to education, social security, inheritance, selection of husband, and freedom of speech. One of the women said, "Human rights include respect of what you are; respect of human needs, and allowing people to express themselves." Most women said that they had not known about their rights before they joined the [human rights awareness] programs. A woman who benefited from training programs said, "I did not know [about human rights] until I joined the society. There is a big difference now. I know my rights and duties. Had I known about the society before I had problems and before I was divorced, I wouldn't have lost some of my rights. I wouldn't have given up my children easily. I would have stood in the face of my brother and chose life."

The responses of men in the focus group were similar. A man said about human rights that to him this means "To have dignity, rights, and duties. The right to life and the right to work." Another man who is married to one of the beneficiaries said about women's rights, "I have never beaten my wife. She gets her rights as a human being including food and clothes. I treat her like a human being." Another man said, "A woman's rights and freedoms are at her home. She can work at home. I can't stop my wife from working at home! She can have a [sewing] machine and work at home to help her husband." Another man said, "Women have their respect and rights at home. If I can afford it, I will keep [the woman] at home and pamper her without having to do anything." Another man responded to the question "Are human rights the same as women's rights?" by saying "Of course not. Women are homemakers. They work at home and look after the children. These are their rights." These are the answers of men whose education stops at junior high school and who come from impoverished localities with high unemployment rates.

185. Officer at government agency

186. Head of programs and training, government agency

1.1.10. Inconsistency of education outputs and labor market demands

Most participants think of university education as incapable of meeting the ever changing labor market demands. The new employment opportunities are almost restricted to the private sector due to that fact that the public sector is over-inflated. However, the private sector “Requires high skills. It is of no relevance that we have a high rate of educated females when their university education is not suitable for the jobs at the private sector,” according to an officer in a government agency. One of the participants who had long field work experience and works as an advisor to a public office said, “Many villages offer only schooling within the educational system’s literary stream, but don’t provide education in scientific, health, or IT streams. The residents of these villages who graduate from universities would, therefore, mainly graduate from faculty of arts, holding arts degrees.”

Moreover, the work and support services environment lacks the attraction and facilitation factors. According to an officer at a government agency, “Each work sector has its own environment. A Jordanian may not accept the environment, which may not be appropriate for him/her. The salary, the work environment, many things, health and safety may not be appropriate. We need to work on the work environment. The more we enhance the work environment in cooperation with the private sector, the more it is attractive to Jordanians. The private sector has problems, including long office hours and very low salaries. There is no job security. Why most people like government jobs? They like it because there is job security at least”. The government sector operates under specific rules and regulations that include office hours and maternity leave as well as school summer vacation.

The public sector is more attractive to women because it is linked to their role in the society since women are future mothers and need to take care of a family and home. These roles require a job that goes with them. The private sector is more demanding and has more burdens [than the public sector]. This is to do with roles.” The head of gender at a government agency said, “As a woman, I found a place of work where my work and motherhood are respected. I can find a daycare center, and I have a good salary. There are legislations that protect me. There is a good transport system. Why shouldn’t I work? What are the objections to my children and I being protected?”

The findings tell us that we must have better activation of services and facilitation for married women and mothers, which was asserted by most participants. The services include daycare centers, kindergartens, time allocated for breastfeeding of babies, part time attendance system, flexible attendance, working from home, etc. Therefore, women prefer to work for the public sector since they seek the advantages it offers, such as job security, social insurance, pension, less office hours, and other advantages compared to the private sector.

1.2. Tunisia

The field study enabled us to uncover a number of important points about the development of women’s situation in Tunisia. Most male and female respondents said that the women’s situation in Tunisia had improved compared to previous generations, especially at the rural areas (women’s education, going out of home, and mixing with men). Kareem, an activist at the Muwatana [citizenship] Society in Sidi Bouzid governorate, said “Women’s situations in Tunisia have witnessed developments. Women enjoy many rights, which they did not enjoy before. Mentalities have improved, and the society accepts women more than before. Fifty years from now they’ll have a better situation.” Most respondents asserted the time factor in changing the women’s statuses and bridging the gaps between men and women, and recognition of women

by men. However, the improvement in women's situations for some respondents is slow and insufficient. "The society still has no respect for women. Nowadays, women suffer from different types of discrimination."⁽¹⁸⁷⁾ Hence, despite the achievements in women's empowerments, there are weak points and challenges that still impede further women's empowerment and economic participation as described below.

1.2.1. Differentiation between men and women jobs

The male respondents said that discrimination against women was a global phenomenon, and that Tunisian women were lucky when compared to women in other countries. A number of male respondents refused full equality between men and women, explaining that "Women cannot be like men. I am against full equality between men and women. The Tunisian society refuses that Tunisian women become like western women."⁽¹⁸⁸⁾ Despite the progress in women's situation in Tunisia throughout recent decades, Tunisian women are still in the habit of going to traditionally recognized women's jobs. A number of male respondents commented on the issue of differentiation between males and females jobs by saying that women are unable to carry out all responsibilities and perform all kinds of jobs, especially the hard jobs and military careers. This produced two types of reactions among female participants in the group interview with male and female participants. The first reaction was rejection of the males' claim and defending the principle of equality between men and women. They also defended economic integration and individual's merit in finding jobs, and performance assessment regardless of sex. The second reaction from female participants was that they were silent, perhaps because they were convinced that women were not qualified to perform some jobs.

Some female respondents talked about the difficulties women face upon joining careers that are typically known as men's careers, such as architecture, since traditions do not allow women to hang out at construction sites or to travel. "Women have the capacities to prove themselves. However, there are many obstacles in their way. I am majored in architecture, which makes me face major difficulties since my major is considered men's major. My job applications are often refused because I am a female architect who is considered unable to be in the field and lead groups of male laborers."⁽¹⁸⁹⁾ "Regardless of improvements to women's situation, there will always be difference between men and women. When I chose biology as a major at university, professors did not easily accept that since they thought that girls cannot work in rundown neighborhoods"⁽¹⁹⁰⁾ "When the Ministry of Interior announced job vacancies, women were not selected. This confirms that women are still discriminated against. I feel very bad about that. I don't think that men are more qualified than women, and we have our educational degrees to prove it."⁽¹⁹¹⁾

Kamal, an activist at the Basic Liberties Society in Tataouine governorate explained the continuity of discrimination between men and women in jobs by saying "The problem is with the economic establishments that are influenced by the dominant culture that does not believe in equality between men and women. A person in charge would apply the social values that are outside the establishment; they do not necessarily serve women."

Male respondents blamed discrimination against women in economic integration on social and cultural factors. They did not recognize the violations of rights, or demand their elimination. Hence, culture becomes an excuse used by social groups, especially men, to justify discrimination against women in economic areas.

187. Sumaya, an unemployed lady from Kasserine governorate

188. Kamal, an activist at the Basic Liberties Society in Tataouine governorate

189. Sumaya, an unemployed lady from Kasserine governorate

190. Samah, an activist at Hajib Al Oyooun Youth Society from Kairouan governorate in Tunisia

191. Muna an activist at the Employment and Solidarity Youth Society from Gabès governorate in Tunisia

192. Hafitha from Nabeul governorate in Tunisia

It is worth noting that women reject to engage in specific men's responsibilities, or performing careers that are considered by the society as women's jobs. Hence, the view is not restricted to men. "Men and women get same salaries at the farming establishment I work for. We are about fifty workers. I don't think it's possible to appoint a woman in charge of the team. In rural areas, people still respect traditions. Women cannot impose their authority. Men are more capable of moving in."⁽¹⁹²⁾

1.2.2. Attitude toward employment

Employment in Tunisia is one of the most prominent and important factors in changing women's status in the society. It has largely contributed to liberating Tunisian women and caused social changes. The economic integration of women helped create relative overcome of the traditional division of roles on women and men. Some respondents consider work as an important factor in self-assertion that cannot be given up. One of the respondents said, "I cannot stay at home. I like to work and refuse to be locked up at home. I cannot sit doing nothing. I can assert myself through work."⁽¹⁹³⁾

Since women want to be more involved in economic life, the productive activities became more important to women. "My ambitions are big. They made me start and develop a business. I travel in my area to sell cows. I manage my business alone. I am enthusiastic about developing my business because I cannot stop working."⁽¹⁹⁴⁾ Work, according to some respondents, is key to ensuring independence, enhancing economic situations and becoming independent. "Women are used to having income. I will not falter no matter how hard things can be, especially now that I am respected by my family members. " "We work very hard; however, we feel good when we get paid."⁽¹⁹⁶⁾ "

The attitude toward work of respondents who do not have high professional qualifications is that work is to meet family needs; it can be given up if the financial resources are sufficient. A respondent said, "I started working in 2001 when my husband couldn't meet our needs, and when the children got older and their requests increased. It was necessary for me to go to work. Had I had the choice, I would have stayed at home."⁽¹⁹⁷⁾ "Men cannot meet households' needs anymore. I started working order to help him [the husband] meet our kids' needs."⁽¹⁹⁸⁾

In any case, an important part of women's activities is still unrecognized due to the economic concepts used in calculating the men and women's economic activities in selling and exchange of commodities and services. This leads to ignoring the productive works of women at home and outside home. Respondents talked about the importance of salary in defining the social value of work. "Work can only be valuable when it generates income. People acknowledge an activity as work if it generates income regularly, which does not apply to all women's activities"⁽¹⁹⁹⁾.

1.2.3. Variation in men and women's salaries

Among the most prominent statements of the respondents, especially among rural respondents, were those on wage discrimination between men and women. "A man's daily wage in farming is 10 to 12 dinars, whereas a woman's daily wage is 7 dinars though we do the same work. This is unfair."⁽²⁰⁰⁾ "Before the revolution and registration of farming laborers I used to get 140 dinars a month, whereas a male farming laborer would get 250 dinars. We worked under harsh conditions and did not have paid holidays. Now things are better. Men and women get equal pay."⁽²⁰¹⁾

193. Nada, a peasant from Nabeul governorate in Tunisia

194. Zahra, a rural businesswoman from Manouba governorate in Tunisia

195. Munajiya from Zaghuan governorate in Tunisia

196. Munira from Zaghuan governorate in Tunisia

197. Rafiq, peasant from Nabeul governorate in Tunisia

198. Habiba, handcraft specialist, Zaghuan governorate in Tunisia

199. Su'ad, handcraft specialist from Jendouba governorate in Tunisia

200. Munira from Zaghuan governorate in Tunisia

201. Hafitha, farmworker from Nabeul governorate in Tunisia

1.2.4. Unemployment

Tunisia supports private investment, free economic enterprises, and job and employment creation to eliminate unemployment. Women benefit from school education and vocational education; however, they face more challenges in accessing the labor market than men. Unemployment among women registered 28.2 percent toward the end of 2011, compared to 15.4 percent among men. "Employment is the responsibility of the state. We want the state to take its responsibility toward the unemployed who hold higher education degrees.⁽²⁰²⁾" Female respondents required better circumstances for better production. They consider administration unable to ensure equal opportunities for men and women in promotions and in access to decision making positions. Some respondents blamed difficulties women face in economic integration because of social and cultural factors, such as family's refusal that women commute to work.

1.2.5. Family: Change and continuity

Despite the important social and cultural changes in the Tunisian society of the past decades, people are still strongly attached to family values. This is expressed in their support for the family roles, especially in times of crises and difficulties. Development in individualism, humanity, and competition in the society have not weakened the family solidarity role in the life of individuals, which oftentimes exceeds the nuclear and extended families' borders. Today, family still plays an important role in the Tunisian society in defining the directions of development of individuals especially among women, as stated by most respondents who own businesses.

They said that family support was very important in developing their economic activities. "Family encouragement is very important. Receiving psychological support from the family is necessary too and plays an important role in the life of the entrepreneur.⁽²⁰³⁾" "My family does not have any objection. My family members encourage me, because they want me to succeed, and they respect my wishes.⁽²⁰⁴⁾"

1.2.6. Marital life: Resistance to change and difficulties of matching between marital life and] economic necessity

Marital relations in Tunisia witnessed changes due to the legal reforms that aimed to ensure women's rights, the principle of partnership and cooperation between married couples, enhancement of education among women, and an increase in the number of women who join the labor market. These changes have led to rearrangement of social relationships between men and women within the family framework and at different levels. However, the rearrangements have not put an end to the values of the patriarchal culture and male dominance. Wives remain more burdened with the responsibilities of bringing up the children and looking after the home.

Many married female respondents appreciated the support of the husbands, but they did not talk about review of roles of men and women, which meant that the patriarchal culture still dominated the Tunisian society. "Husbands are convinced that wives should work. My husband encouraged me to engage in a plant distillation project. I thank him for the encouragement. There are husbands who stop their wives from going out of the house.⁽²⁰⁵⁾" Some female respondents explained the support of the husbands for their micro businesses by the difficulties they faced in making ends meet. "Husbands encourage wives to work to help them. Circumstances are harder than before especially that children's demands are endless.⁽²⁰⁶⁾" A number of female respondents said that their salaries went to support the household's budget. "I work to help my husband make

202. Reem, unemployed woman from Tataouine governorate in Tunisia

203. Najla'a, farming business entrepreneur from Manouba governorate in Tunisia

204. Munira, joint farming business entrepreneur from Manouba governorate in Tunisia

205. Munajjiya from Zaghuan governorate in Tunisia

206. Munira from Zaghuan governorate in Tunisia

ends meet. He cannot do that anymore.⁽²⁰⁷⁾ "I have four children. My husband's salary is low. I work to help him.⁽²⁰⁸⁾ "Husbands encourage their wives to work in order to escape responsibility. A husband encourages his wife to drive in order to drive children around.⁽²⁰⁹⁾"

Female respondents also pinpointed the change in women's status as a result of going out to work and providing additional income to the household. Working women become more respected at home. However, there are still difficulties in matching between the job and the chores since men refuse to do chores that are traditionally considered women's specialty. "Women fight to match between home and the job. I wake up at five or six in the morning every day. I prepare breakfast and go to work.⁽²¹⁰⁾ "I wake up early in the morning. I prepare everything before I go to work. Women are fighters compared to men. Some men do not want to work, and when they agree to work, they want a clean job.⁽²¹¹⁾"

According to a number of respondents, women are often required to do more than men in order to move up in the professional career, and to match between the job and the chores. Female respondents said that men should change their attitude toward chores. "My husband does not help a lot in the chores; he only makes tea and fries eggs. Women wish that men do more to endure in such responsibilities, which seems impossible these days.⁽²¹²⁾ "My husband does not help at all with the chores. He even wants someone to feed him.⁽²¹³⁾ Some female respondents consider men unqualified to do the chores. These respondents suffer exhaustion due to the burdens of responsibilities at home. "I don't let my husband work in the kitchen because he can't⁽²¹⁴⁾. " A minority of women rejected the idea of demanding men to help with the chores. "I disagree that men should do the chores because that would make them lose their manhood. I think the man would become weak and if he carries out the chores. ⁽²¹⁵⁾"

1.2.7. Obtaining and controlling resources

1.2.7.1. Personal abilities as a key resource in the process of economic empowerment

One of the most important obstacles women face while trying to obtain their human rights at the different stages of their lives is when the society fails to consider them as human resources. This explains why there are high rates of illiterate women, especially in rural areas, and lack of caring for women's health (most villages do not have basic healthcare services for women), which affect what women can do at home, within the society, and their overall economic participation. However, many female respondents asserted the importance of personal abilities in self-empowerment. "The talents that women have may help them prove themselves." Such talents must be benefited from. "I did not go to school. I have to sacrifice to improve my situation and make money." Najiya, a peasant from Nabeul governorate in Tunisia said, "Tunisian women have strong personalities. They move on in their lives when they succeed. A lot can be achieved with hard work and thinking and determination. I believe in individual's ability to determine their destiny.⁽²¹⁶⁾ " "Women must have ambition to be able to prove themselves.⁽²¹⁷⁾ " "Determination makes you achieve your objectives⁽²¹⁸⁾." Hafitha, farmworker from Nabeul governorate in Tunisia, said "Woman's

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207. Malika, daily-wage worker from Manouba governorate in Tunisia
 208. Munajiya, daily-wage worker from Manouba governorate in Tunisia
 209. Najla'a, farming business entrepreneur from Manouba governorate in Tunisia
 210. Hafitha, farmworker from Nabeul governorate in Tunisia
 211. Salha, handcraft specialist from Jendouba governorate in Tunisia
 212. Nabila, farmworker from Nabeul governorate in Tunisia
 213. Siham, a peasant from Nabeul governorate in Tunisia
 214. Nabila, farmworker
 215. Hafitha, farmworker from Nabeul governorate in Tunisia
 216. Munajiya, handcraft specialist from Zaghuan governorate in Tunisia
 217. Lamy'a'a, daily-wage worker from Manouba governorate in Tunisia
 218. Khadija, handcraft specialist from Zaghuan governorate in Tunisia

personality is strong. A woman can be independent. We [the women] must rely on ourselves to enhance our conditions." A number of female respondents said that own abilities were decisive in their experiences and achievements. "I was not encouraged by my social surrounding to start a business. Everyone was against the idea. My husband and family were against the idea. The manager of the Tunisian solidarity bank (Banque Tunisienne de Solidarité) said I couldn't do farm work and that my hands were not suitable for farming. I fought; my determination gave me power. I know that my courage helped me a lot in my experience.⁽²¹⁹⁾ "

1.2.7.2. Property and inheritance

Female respondents said that lack in the application of the right to ownership is a challenge for women's economic empowerment and ability to start a business. To remedy the situation, the Ministry of Social Affairs took a number of steps including issuing a circulation on May 9, 1996 to the social security funds. The circulation allowed married women to obtain loans, like men, from the funds to purchase real estate. Law number 98 establishes joint ownership between married couples. The law helps create balance in the women's situation in marital relations in light of an increasing economic role women play in the society. However, the law does not deal directly with inheritance provisions. Chapter one of the law stipulates that "Joint ownership of property among married couples is optional. The couples may opt for it upon signing the marriage contract or at a later stage." The law aims to make real estate(s) jointly owned by married couples. The law has an impact on women's economic empowerment; it gives women new opportunities to engage in the economic life equally with men.

1.3. Lebanon

1.3.1. Discrimination and equality between men and women

Respondents agreed that there was no equality between men and women in all walks of life. They said women do not enjoy rights like men do. "Look around to see the difference. When my husband hit me, I threatened him saying that I would file a complaint. He said that he would humiliate me and my family at courts." However, respondents agree that men and women are unfairly treated at work, which forces the youth to migrate. Respondents also spoke of discrimination at the public and private sectors.

Female respondents talked about discrimination in employment. Women have better chances of employment at the private sector, since they work longer hours in return for smaller salaries at small businesses such as clothes stores. As for the public sector, "There is no discrimination in salaries and wages since the law applies to all; however, promotions are more open to men than women." Respondents from senior citizens said, "Men are always in leading positions because the views of the society toward women affect the development of women's work who become distracted under these conditions. Besides, considering home as a better place for women reduces their capacities. Consequently, small numbers of women reach leading positions. Most of the women who manage to reach high positions are unmarried, and if married, their children are losers." Service providers said, "Women are always in middle or lower positions, whereas men are always in middle and upper positions. That's why men are in leading positions. Women's reaching leading positions relies on the temperament and exceptional decisions of the employer."

Respondents described the patterns of discrimination based on sex and career. All male respondents and one female respondent ⁽²²⁰⁾ said it was difficult for women to access decision making positions. All female respondents said that there was discrimination in salaries and employment. The findings of the interviews were similar to the findings of the focus groups. Respondents ⁽²²¹⁾

219. Zahra, a rural businesswoman from Manouba governorate in Tunisia

220. Of high position

221. Including young service provider females

said that there was discrimination against women and inequality in human rights and employment and work. However, according to respondents, there is no discrimination in the public sector since the law applies to all. The problem is in promotion and accessing leading positions. In the private sector, on the other hand, the problem is in employment and salaries. Private sector employers prefer employing single women since they accept lower salaries.

1.3.2. Access to and control of resources

Except for female service providers who believe that women have access and control of resources that enable them to continue working, participants said that they did not believe that women had access to resources, or had the social guarantees that enabled them to continue working, facilitate their work, and develop their careers. Also, women do not have resources, and if they have them, they do not control them. Business people pinpointed the importance of materialistic and financial resources as well as education and technology and time. "Women in rural areas face difficulties in obtaining means of production, land ownership, and soft loans. This is largely reliant on the agriculture developmental policies of Lebanon and the way the rural community treats women and their traditional role at home." "Technology is not available for rural women." "The economic participation rate of women is in general weak compared to their levels of education." "Women do not sufficiently and fairly benefit from the social safety nets." "Women cannot even practice their right to breastfeeding."

1.3.3. Challenges face to eliminating discrimination and ensuring equality and empowerment

The respondents' views on the difficulties in the face of women's empowerment reflect their surroundings. The challenges were pinpointed at four levels, including:

1.3.3.1. Social level

Social level challenges come at the first place where 46 percent of respondents (mostly women) say that women suffer more than men in their lives. Moreover, women are imprisoned by the many roles they play, which can limit their development in life. Such roles can be considered as challenges in the face of women's development. Women believe that the families interfere in their affairs and refuse women's work.

However, this depends on how understanding husbands are when it comes to women's work and their accessing of the labor market. The responses of the women show that they have no economic insight, and that women still have specific stereotypes and specific jobs due to physical and psychological capacities. When women come home after work, they find the burdens of the chores; therefore, women have three or four jobs rather than one job. They work from six in the morning to nine in the evening, which means that women have multiple roles.

Men pinpointed the dominant male character of the Lebanese society. Laws do not stand in the way of women's employment. However, there are jobs that are physically demanding, and jobs that require staying outside the house. Not all men agree to see the women doing such jobs, which restricts women's professional and financial development. "Motherhood cannot be replaced; this is a dilemma." "There is no protection of women against the exploitation of the community." Rural women, more than other women, suffer from the dominant traditions of their surroundings, which prevent them from working outside their places of residence. Moreover, rural women are unaware of their civil status and suffer "The control of traditions over laws as well as [the difficulties of] elections, running for local election, and working outside the village."

According to female service providers, women cannot work outside home because of the burdens at family burdens at home. There are women who join training courses and start businesses without informing their husbands or families.

According to male service providers, there are no social level challenges. In contrast, female service providers said that some villages consider women's work a taboo. At cities, it is normal that women worked. There is a difference between the village and the city. Rural societies are closed and priority for women is to work at home. Male youth said that people and the state have no confidence in women; they see them as being unreliable in fulfilling commitments. There was also indication to lack of confidence in women's capacities, favoritism, and nepotism that hinder the opportunities of finding jobs and promotions.

1.3.3.2. Economic challenges

Economic difficulties constitute 26 percent of the overall challenges. They are the first challenges to face when women apply for loans that require guarantees such as a salary, or other guarantees. The loans provided by institutions are insufficient; they may help in saving some money, but cannot develop work. Women's designated work is tiresome and jobs may provide smaller income, but they mean economic security and guarantee, which is the opposite of having one's own business.

Working outside is an additional burden for women. There are financial difficulties "The economic situation is oppressing and economic development is hardly moving" and a "husband would be dependent on a more productive wife instead of becoming more productive himself". Male service providers and young males and females do not see any difficulties at the economic level to eliminate discrimination and achieve justice. Female service providers see the man's income as the main income and the woman's salary as a supplementary source. Male service providers do not see any difficulties at the economic level.

The economic challenges, which most respondents agree to stand in the way of achieving equality, can be summarized in the following: The general economic situation of the country and the size of financial resources. Lack of funding is an obstacle in the way of continuation of relevant institutions (almarsad) that provide loans to economic projects. Lack of funding of economic projects, and weak performance of lending to women who are self-employed due to the difficult economic situation, make women look for a job rather than economic empowerment even if the job was less secure and more demanding because they need the income. Products are similar, and women become hostages to the economic cycle, with less training chances in the public and private sectors, and lack of participation in decision making and politics, which constitute more obstacles in the way of women's ambitions and progress.

1.3.3.3. Legal challenges

Most groups⁽²²²⁾ believe that the laws are not in favor of women, or that women do not have rights – this is consistent with Part One – which covers the analysis of equality issues in the framework of the legislation. Most women said "Laws are not on our side, or on men's or children's side. Anyway, most of our children go abroad now." Legal obstacles constitute 14 percent of the challenges, according to half of the male service providers group and one female service provider (this female occupies an important position), and three women from the group of beneficiaries who have successful businesses. Noticeably, career and education play an important role in defining one's opinion.

1.3.3.4. Political and security challenges

Men from different categories said that, oftentimes, challenges are related to political conditions, public policies, legal, and security situations. Women, including service providers and young women, do not believe that there are political and security challenges in the face of achieving equality. Men, on the other hand, think that political will plays a key role in developing women's situation. The women's quota has not been approved yet. The security situation is unstable. Male service providers do not see any economic policies for men or women. Male youth think that political will is behind women's incapacity to access leading positions; otherwise, women would have reached high posts.

The political challenges, including unclear political will and security situation, registered the lowest percentage of challenges among male respondents of all categories ⁽²²³⁾ at 14 percent. The sex factor is the key variable in the process of response. This leads to the first problem, which is related to women's awareness of political and legal challenges (they constitute tangible challenges), as well as the social challenges. For men, the issue is the other way round, since knowledge of social challenges can change public and private lives. The second problem is with the incapacity of women to demand their social, economic, and political entitlements, which constitutes a key challenge in the face of access to full and inclusive citizenship.

The political/ security challenges can be summarized as follows:

- a. Weak political will, which needs to be more clear and strict and decisive in order to create change. Such weakness is due to a number of reasons, including reasons related to prevailing mentalities, and problems with the political structure that is based on the current institutional situation. Centralization still constitutes a challenge. The state is still distant from local concerns. Projects need to be implemented away from the capital. The "Nuwara" decree has not been issued yet, it is still a program.
- b. Lack of confidence in women's capacities, including the capacity to develop work, because of social and family burdens. These are additional difficulties that self-employed women face.
- c. Lack of concern of the rights of the house makers⁽²²⁴⁾, including insurances and loans. All respondents said that rural women suffer the most – compared to urban women – because of the male mentality and traditions, as well as the lack of access and control of resources, especially at distant areas, and because of administrative centralization.

1. Palestine

2.1.1. Discrimination and equality between men and women

Men from all walks of life believe that women and men are different, but equal in rights and duties as defined by the society, religion, and traditions. Unemployed male and female youth from rural and urban areas said that discrimination existed. When women demand their rights, they become outcasts (examples of marriage rejection, and the right to university education, and other examples were given). Young males said that women are exploited at the workplace and at home. One of the participants said, "As a Palestinian youth in the Palestinian community, I am afraid of women's silence since it hides troubles behind about what women are subjected to, but without saying a word. This can be destructive to the entire society if continues." Laws have double

standards "Relinquishment of inheritance is acceptable at 18, while marriage is acceptable at 15." Female beneficiaries of lending projects said that men and women compete in many things; however, there are functions and roles for men, and functions and roles for women. The society is merciless. The majority agreed that women do not fully enjoy their human rights.

Despite the signs of self-confidence among women, the society's culture restricts such confidence and obtainment of rights. The discrimination patterns can be seen in the fact that women do not occupy decision making positions, in the work levels, low salaries, and domestic violence. The groups said that there was discrimination against women, especially disabled women in many areas. The culture of the society and using religion wrongfully to justify discrimination lead to treating women as followers and secondary citizens, with stereotype roles that limit their development and empowerment and obtainment of rights such as education, work, and occupying decision making positions.

The society perspective of women and their participation in the elections contribute to electing men, though women can play important roles in the election process. The group said that women reached advanced levels of education; however, the majority of the scholarships go to men under the pretext that women cannot leave their homes and children, or that women are unqualified. The same applies to work where employers look at women as producers rather than human beings, and prefer males to females. There is discrimination between men and women in jobs, promotions, end of service allowances, and health insurance. Women are always employed in lower level jobs. The legislations do not consider women's rights such as the personal status law. The group said that discrimination against women is everywhere in the public and private sectors due to the societal culture. This attitude affects women's self confidence, restricts their movement, and deprives them of the freedom to choose. "The community does not look at women's work as their right. It does not count men's participation to the responsibilities and tasks at home. The society does not believe that women's work is necessary, and rather sees that work is only for making money." Some stated that "Women occupy low positions and receive lower salaries than men for the same work. Women who work in agriculture are treated like slaves. There is discrimination at ministries; men are at decision making positions, whereas women occupy less important positions such as doing secretarial work." Also, participants said that "Enforcing the law could sometimes lead to discrimination between men and women. Women cannot work on developing themselves professionally because of their reproductive role, which restricts their development and obtainment of higher positions or higher salaries, and reduces their chances of training and travel."

2.1.2. Access and control of resources

There are various restrictions on men and women's access to resources, especially labor market and poverty reduction resources. According to studies, 47 percent of women did not independently take their marriage decision; 68 percent of women did not obtain the inheritance they were entitled to; and 72 percent of women did not believe that they could handle their properties independently. Moreover, the limited rights are being diminished by the practices, especially by women's relinquishment of their inheritance rights to satisfy their male relatives, or following pressure by the family.

Men believe that policies, laws, and mechanisms empower women to access and control resources. Everyone goes to school these days. Women can go to school like men. Political participation is superficial and controlled by donors' agendas. Men say about women's capability to defend their rights that "Women always need men's support, whether the men are brothers, sons, fathers, husbands, or relatives. Women join men in decision making; however, it's the men who decide on matters affecting the households. The decisions concerning running the house are women's decisions. Women need to treat men nicely because men are not useless."

Unemployed young people from urban and rural areas said that they knew little about policies. However, they would say yes to "Giving grants to women to start businesses where such businesses are well reviewed; and provide the necessary support of monitoring and training." However, "Women's efforts decide whether they access and control resources, or not. Women suffer from financial obstacles when they start a business, access the market, change the infrastructure, and [purchase] the necessary equipment. Many businesses spend millions of dollars on simple changes; [such] businesses do not meet the needs of rural women."

Beneficiaries of lending projects said, "Education and health centers are available for all. Nevertheless, there is a problem in the ability to reach them in rural areas, especially if girls' schools or health centers are in another village, or away from places of residence [of targeted beneficiaries]. Wives usually request a husband's permission to go to clinics." Political participation is superficial, but recent years saw an emergence of new feminine patterns that effectively participated in local councils. "There is no discrimination between men and women in obtaining financing, and women obtain loans like men. However, the collaterals required by banks make women seek a guarantor who is usually a man. The cost of lending small businesses is high, and women prefer the loan to be in a man's name so that in case of trouble and a case is lodged at a court, the man would stand before the court because the society considers a woman who goes to court as criminal or unethical."

Some respondents said, "Though Islamic religion allows women to own [property], the society's view toward women's ownership is narrow-minded, such as the case of the right to inheritance. There is still control over the salary of the working women and women's owned property. The society's view is one of the challenges of women's control over resources."

Women's rights to ownership and control over property contribute to women's economic empowerment. There are women who have real estate, or land, or salary, but they cannot control them or handle them. Some call for joint partnership of the properties of married couples. For women to enjoy ownership, they must demand this right. Going out to work is one of the factors of women's empowerment.

The group said that the efforts were insufficient. It is necessary to provide services that enable women to access the labor market. The efforts for economic empowerment of women include establishing the Nafaqa funds, and having policies in favor of employing a percentage of women, as well as having five female ministers. However, these efforts are insufficient. The lack of women's presence in decision making positions limits integrating women's needs in policies and laws, and leads to giving priority of work to men, non-equal pay for the same work, and women's exploitation since they accept low salaries in comparison to men, lack of social security, and low

participation on behalf of women. There is lack of services, such as nurseries and public transport, as well as lack of community awareness about the women's roles in development in the labor market and the decision making positions.

Moreover, women are preoccupied with reproduction and the health burdens of reproduction, in addition to the obstacles caused by reproduction for women's participation in the economic or political public life.

Some consider that the policies and laws that give women rights based on positive discrimination, without social or health insurance from the government, actually have negative impact on women's participation in the labor market, because they made employers abandon the idea of employing women because women leave work early and they get maternity leaves. Some view some policies as protective of women's dignity and women's economic empowerment; they also ensure women's right to education, and increase community's awareness programs concerning women. The policies also provide control programs over loans, training programs on how women could access and control resources, and raise awareness among people working with women on concepts that support women. Respondents also pinpointed the fact that societies and banks apply same conditions to loans granted to men and women. However, men can more easily provide loan collaterals compared to women. Banks request salary guarantees for big loans, which limits the chances of unemployed women of obtaining loans.

2.1.3. Challenges in the face of eliminating discrimination and achieving equality

Beneficiary and non-beneficiary women said that the biggest challenges women face in achieving economic empowerment are the social challenges. Men equalize social and economic challenges in hindering women's economic empowerment. To Men, political and security challenges are bigger than social and economic challenges. Male service providers think of legal challenges as major obstacles in the face of women's economic empowerment. Social challenges constitute 46 percent of the challenges in the face of women's economic empowerment, followed by economic, legal and political challenges.

2.1.3.1. Social challenges

Men said, "The society is merciless, and men need education." This was the view of the group, which means that there is a social problem that constitutes part of economic development. Such challenge is "Men are afraid of losing their social and economic status. Dominant traditions are more powerful than laws; hence, there is a need to educate men about the importance of women's work and economic participation."

The social challenges are divided across three levels:

1. The perspective of societal culture and social legacy, policies, practices, and the private sector toward women's work as not a priority – priority is given to men's work – and registering women's businesses under men's names since the society believes that work outside home is monopolized by men, and when women work outside, they must adhere to traditional women's jobs, which are an extension to the women's reproductive roles. This level prevents women from their right to inheritance, restricts women's movement,

increases the gap when women are educated about gender and men are left behind. The society lacks interest in gender issues. This is combined by the fact that the media ignores gender issues, and by the idea that loans are haram (prohibited on religious grounds due to interests), which deprives women of the chances of obtaining loans. The social challenges also include women's work at home and their reproductive role, which is considered as an extra cost by employers of the private sector.

2. Men need awareness raising on gender issues and on the importance of men playing the role of partners in doing the chores and bringing up children with women.
3. The women's status in the family, society, and state, which encompass taking care of chores and children. This challenge hinders women's involvement in economic activities, and burdens them with more responsibilities when they join such activities. The challenge includes women's lack of knowledge about their rights and the laws, especially the labor law, their limited perspective about their role in the economic process, and the tendency to join those jobs that give consideration to women's reproductive role, such as health and education. Despite the high rate of females' education, their participation in the labor market is tiny since they do not have the capacities compared to men who face no restrictions on their movement.

2.1.3.2. Legal challenges

Despite the provisions that advocate for equality between men and women, there is discrimination in law enforcement. Women's work outside home, running small businesses, and conducting unofficial work that is not protected by the Labor Law constitute challenges. Some consider the positive discrimination policies of pregnancy, childbirth, and breastfeeding, which are in favor of women, to be harmful to women's economic empowerment.

2.1.3.3. Economic challenges

Among the economic challenges stated by respondents are the immaturity of the economic aspect of cooperative work, lack of financial resources to cover operational processes of economic projects, lack of sustainability of programs and projects, institutions' dependence on donors for funding to ensure project continuity, and the treatment of women's economic empowerment as relief work (reaction) rather than strategic or development work. The challenges of economic empowerment also include lack of control over resources. The Palestinian society has simple resources; they are under the control of the factory owners. Moreover, men occupy senior positions at ministries and the Palestinian Investment Fund. Therefore, men look after men's interests. There is lack of women's services especially health services, and lack of services for people with chronic diseases and disabled people to continue working. There is also lack of daycare centers for children, which forces women to quit their jobs to look after the children.

The challenges also include the marketing of products, registration of women's businesses in the chamber of commerce, and lack of collaterals, which affect women's entitlement to loans. Decision makers lack awareness about the needs that allow – once met – women's empowerment. Respondents pinpointed lack of access to information, especially at rural areas and remote places where information is limited. There is also lack of knowledge among women about legal procedures, specifications of projects, and lack of knowledge of the culture and concepts of feminine development.

1.4.3.4 Political and security challenges

Most of the respondents believe that lack of political stability and the measures taken by the [Israeli] occupation constitute challenges to women's economic empowerment. They also impede focus on women's work and economic participation. The political situation (Gaza war, military roadblocks, movement difficulties for women who were in some cases forced to deliver children at roadblocks, etc.) is the biggest challenge in the face of economic empowerment. It also limits women's work opportunities, education, and causes losses for many businesses run by women.

**National Legislations, Policies, and Mechanisms of Impact on
Women's Economic Empowerment In the Arab Region**

Case study in

Jordan, Lebanon, Palestine, and Tunisia

**Part Four:
Conclusions and
Recommendations**

Part Four: Conclusions and Recommendations

Overall view

The desk review was conducted using the information available for the Arab countries as a whole and each one of the four countries under study – Jordan, Tunisia, Lebanon and Palestine – and took into consideration the specific country contexts, and the general regional context. The results and findings of this desk review study are consolidated in form of a situational analysis, based on which related quantitative and qualitative indicators were developed (Part One and Part Two). The analysis makes clear the extent to which the efforts undertaken by countries – enactment of obligations of States party to international conventions; policies, programs, and strategies – have contributed, or not, to eliminating existing forms of discrimination against women and, more specifically, to increasing women's economic empowerment. The analysis looked at the situation of Arab Women in general, or at specific groups of women in particular which may differ according to geographic, cultural, social, and political specificities within their respective contexts. The analysis adopted a comprehensive approach given the strong inter-related nature of the factors that affect the economic empowerment of women.

In general, all four countries included in this study made progress in the area of strengthening the economic empowerment of women – in the comprehensive sense of the term. However, these countries achieved greater progress in the area of women's development – including education and health, and the social, political and economic domains – than in the area of women's economic empowerment. The previous sections presented quantitative and qualitative indicators on such progress, linking it to the political efforts made at the national level to reduce the gender gap and enhance women's development. The previous sections also identified a number of initiatives in the area of building women's capacities and outlined specific opportunities that are made available to women to ensure a greater level of equality.

It is worth mentioning that the desk review was complemented by data and information obtained from rapid participatory assessments and focus group discussions in each one of the four countries. The rapid assessment and focus group discussions were conducted with a representative sample of stakeholders, including women who benefit from economic programs, women who do not benefit from such programs, and service providers (women, men, and youth from both sexes). In addition, a number of interviews were conducted with stakeholders who represent the group of duty bearers such as decision makers and policy and program developers with a mandate to enhance women's development and economic empowerment.

One important conclusion that was drawn from interviewing the two groups (women and service providers, and decision and policy makers) is that their responses confirmed each other and the findings of the desk review, despite some small variations. The respondents were encouraged to speak of their personal and professional experiences based on their daily lives. Hence they spoke of the difficulties and challenges they face, but also of some success (mainly women who benefit from economic programs, but also other women and service providers), and they spoke of their professional (service providers, policy and decision makers) and personal (men and youth) experiences in the field. The following is a summary of the main messages received through the interviews:

- Many forms of discrimination against women exist; discrimination impacts women in their public and private lives; discrimination is supported by unjust laws.
- Weak procedures and policies are a reflection of weak political will.
- The general level of awareness on women's situation is low, but often also women themselves are not aware of their rights.

It should be mentioned here that stakeholders from among the duty bearers' group, such as policy and decision makers, are aware of the situation of women. They confirm that there is need for change, and they all agree on the importance of women's development and the elimination of all forms of discrimination against women. In their views, such change should be brought about through comprehensive reforms that would lead to gender equality and to the fulfillment of women's rights. The question remains: if duty bearers firmly believe in the need for change and improvements, why did this change not happen yet?

During the past few months, while the work was underway, it was difficult or even impossible to distance and isolate the analysis from the major changes that hit the region. The so called Arab Spring raised important questions as to the dimensions that should be taken into account for the purpose of this analysis, and consequently the question of which definition of 'economic empowerment' would be the most appropriate to adopt throughout this study. It was, therefore, decided by the project partners that the information collected for the analysis through desk review and rapid participatory assessments should be complemented through direct anthropological observation of the ongoing developments.

People of the region live a reality that differs from what is often presented on paper. While the reports published by the Davos World Economic Forum emphasize the strong interconnection between gender equality on the one side, and economic prosperity and competitiveness in the global market on the other side, countries of the Arab region witness – without exception – a deterioration of women's situation and violations of the principle of equality. The gender gap in the countries of the Arab region has increased in education, health, and labor, and in the political, social and economic domains. This section of the study presents the most salient conclusions as well as realistic, practicable recommendations for future strategic interventions.

I. CONCLUSIONS

1. Introduction

The countries in the region have undertaken considerable efforts to implement policies and programs that focus on good governance, gender integration, enhancement of the social security systems, increasing levels of decentralization, and creating partnerships with civil society organizations and the private sector. They have also recognized the importance of the practical and strategic gender interests and needs. Moreover, they have taken in and implemented a number of initiatives that had sought to empower women and increase women's opportunities to access and control resources.

Military occupation, the spread of internal conflicts and terrorism during the last two decades have made already existing challenges more complex for a number of countries in the region: the Occupied Palestinian Territories, Iraq, Sudan, Algeria, and Somalia, to name only a few. The new Arab revolutions, which occurred almost simultaneously in Tunisia, Egypt, Libya, Yemen, Bahrain, and Syria have led to the rise of new challenges and uncertainties regarding the future of the countries in general, and women in particular. The countries under occupation and those countries affected most by the Arab Spring uprisings suffer from aggression, violence, political instability, insecurity at public and individual levels, conflicts, emergencies that disrupt the provision of basic services, uprooting of communities, and harsh economic conditions. The ways and extents to which countries are affected differ, and each country must be looked at within its specific context. Generally, the political and social developments have had a negative impact on the situation of human rights and on the quality and living conditions of the people, especially on women and children.

To end patriarchal structures and domination is more difficult than toppling a dictator. Overthrowing dictatorships does not necessarily bring about changes in positions of countries towards women's issues, and may even lead to instating more oppressive dictators who constitute a greater threat to women since human rights come hand in hand with women's rights. Today, women can have their own laptops and smart phones, and they make use of modern information technology and social media tools through which they may access the internet's social communication websites. They can place their worries on top of decision and policy makers' agendas. Women all over the world launched the "21st Century's New Wave" women's movement through which they organized themselves for the purpose of lobbying for the long awaited change. Hence, maybe this time, women may use this opportunity for change and realize their demands for equality and fulfillment of their legitimate rights.

It may well be that the ongoing political developments provide a unique window of opportunity to women in the Arab region to realize change and demand equality in the application of rights. The quality of a democracy is reflected in the quality of women's rights achieved in a country. Progress in women's development and empowerment depends on the vision proclaimed by democratic movements; a democracy without women's rights is not a democracy.

2. Where do we stand today?

The year 2011 was, in many aspects, the year of the Arab women. Women have been, right from the start, in the front lines of the protests that broke out in Tunisia in December 2010. They led the demonstrations, enthusiastically blogged and posted news on internet pages, covered news and riots as journalists, launched social media campaigns (on Facebook and Twitter), smuggled ammunition in some countries, and provided medical attention to the wounded. Countries such as Tunisia, Egypt, Libya, Yemen, and Bahrain witnessed unprecedented protests. In all of these

countries, women played a lead role in driving the events. In other parts of the Arab region women had also played lead roles in driving political change as happened in Algiers during the revolution for liberation, or during the combat of terrorism in the 1990s. Another example is that of Palestine where Palestinian women, for more than 60 years now, fight on a daily basis against occupation. Much has been written on these topics, and many may find it unnecessary to write more and to repeat what has already been said. However, it is imperative to take special interest in the role of women in the ongoing “revolutionary” movements. It is equally important to observe the change that these movements introduce to societal and political life, and to assess the extent of the impact of this change on the situation of women and the realization of their rights so that we may be in a position to prevent history from repeating itself.

The decisive role that women played in political mobilization found international recognition, especially when, in the year of the revolutions, the Nobel Prize for Peace was awarded women from Africa and Yemen. Tawakul Kerman from Yemen received the Nobel Prize for Peace for the courage she showed in fighting for human rights in her city’s central square and in her community during the Yemeni uprising which has eventually led to new parliamentary elections. She is the first Arab woman ever to receive the Nobel Prize. The joy she showed and shared was tremendous; she addressed her speech to all her sisters in the Arab World who were, like her, continuing the struggle “to gain their rights in male dominated societies”.

Two important aspects of the recent political developments are worth mentioning here. First, women have proved, once again, that they play a key role in political mobilization in male dominated societies. Second, the events did away with the myth of the frail and helpless Arab women who are destined to stay at home, and who only deserve to be taken care of for working at home. It has been proven that many women in the countries of the Arab Spring had been very efficient in mobilizing people to take part in the events. Moreover, many women in these countries have been active in professional trade unions, and they have pro-actively deployed their expertise to introduce change to their countries’ political structures. However, in the aftermath of the revolutions, women’s concerns grew, and legitimate questions arose: Would these revolutions for democracy lead to achieving women’s social, civil and political rights and freedoms that are a prerequisite to achieving women’s economic empowerment? And, would the gains achieved under the previous dictatorships with regards to women’s rights be preserved or done away with?”

The outcomes of the parliamentary elections in Tunisia, Egypt, and Morocco indicate that some of the worries of women are not groundless. According to the United Nations’ Report of March 2, 2012 – produced by the Commission on the Status of Women – and the data provided by the Inter-Parliamentary Union, women not only occupy less than 30 percent of the seats of all Arab countries’ parliaments, but also their average representation stagnates at 10.7 percent since 2011. In Tunisia, and despite the equality law, the number of female parliamentarians dropped by two. Moreover, the findings of January 2012 show that the number of female parliamentarians in Egypt in the aftermath of the multi-party elections dropped from 12 percent to 2 percent. However, other areas and national parliaments saw progress. Such progress was considered slow by the Inter-Parliamentary Union; it stood at 19 percent in 2010 and 19.5 percent in 2011. Ms. Michelle Bachelet, the first Under-Secretary General and Executive Director of UN Women, has confirmed this slow pace. She urged world leaders to work on enhancing women’s contribution to public life without which democracy could not be established. Other concerns by women include fearing that the constitutional and legal reforms would result in a setback in the status of women’s rights because of the interpretation of Islamic Shari’a that old and newly founded political movements and parties propagate. In the countries of the Arab spring, such–political parties currently won majorities in parliaments, and they demand that the Islamic Shari’a be the basis for legislations, including basic laws.

It may be true that the leaders of the political Al-Nahda party in Tunisia have committed to that there would be no changes to the laws that promote gender equality and that women's rights in Tunisia would be safeguarded. At the same time, however, there are other political streams of obscure background in Tunisia which openly demand the implementation of Islamic Shari'a according to their very specific interpretations of it. It is important to bring to attention that these interpretations are alien to Tunisian customs and traditions, and even alien to the Islamic doctrine prevailing in the Arab Maghreb. The demand for reintroducing the practice of female genital mutilation is one example of such interpretation. Another example that can be given is that of a joint act by followers of these streams when they held a sit-in at one of the universities for over two months to realize the demand that female students should be allowed to attend class only fully veiled (*munaqabat*).

The sit-in was not only peaceful and acts of vandalism increased the pressure to meet their demand. In addition, a number of associations that were formed after 14 January [2011] are working on introducing new rules and mechanisms (such as reintroducing the household structure of a harem, or in other words polygamy). One of the associations that have recently been approved by the Ministry of Interior pursues the goal of implementing the so called culture of "promotion of virtue and prevention of vice" ("*al-amr bi al-ma'ruf wa al-nahi 'an al-munkar*"). As for Egypt, the three political parties that won the majority in the recent elections left no place for doubt in their triumphant political statements as to what their vision is for the society they intend to build, and the adequate place they intend to assign to women in this society. The reality of every-day life as lived by women in Egypt is bitter. Where does the Arab woman stand today, and where is she headed?

3. Current situation, women's economic empowerment and gender equality

There is no doubt that the Arab countries, including the four countries included in this study, have done relatively well in advancing the status of women in all domains. This is the result of a shift in political will, in combination with favorable international relations which led to the implementation of legislative and legal reforms, development of national plans and strategies, and set-up of programs at public institutions. This favorable trend toward women was further supported by continuous efforts undertaken by mechanisms mandated with women's issues and gender equality, but also by the efforts and initiatives of the civil society, especially women's organizations, which worked toward the amendments of laws to ensure the realization of women's rights and the elimination of all forms of discrimination against women.

In Jordan, for example, a trend for providing small loans to women emerged and grew stronger, reflecting the political will to enhance women's economic empowerment through increasing women's opportunities to access and control resources. Government agencies developed mechanisms for cooperation with the non-government sector by which the latter would assume the role of intermediaries in the provision of loans. However, in light of women's acute needs and their expectations, these efforts cannot yet be considered sufficient.

Generally, the political authority, represented through its programs and strategies, does pursue the goal of achieving gender equality in human rights, protection of women's economic rights, and attainment of economic empowerment of women. This political direction is affected by the international obligations that countries assume when they become State parties to international conventions and agreements, and when they adopt international plans for action.

At the same time, many countries of the region suffer from increased instability because of the changes that were brought about by the Arab Spring, with all that these changes entail of challenges and dangers. The occupation of Palestine continues to affect political scenes throughout the Arab World. In Palestine, women carry a greater burden than men when facing the challenges and problems resulting from occupation, because pressure is exercised on women from two different sides. One side is that of oppositional political streams and occupation itself and their practices that are part of the struggle; the other side is that of society with its male dominating values and norms that are imposed on women in all areas of life, including legal and political areas.

3.1. Laws that cover the public and private domains

Much was achieved in the area of gender equality, most importantly the amendments that were introduced to laws to include new provisions on women's rights and women's participation in decision making and in public life; some countries even amended their constitutions so as to guarantee an increased level of women's political participation (Algeria, Morocco, and Iraq). Many countries have taken similar actions toward improving the situation of women, mainly through amendments to laws, or to articles within the same law, and by taking positive steps at the level of parliaments and local authorities. Laws that were subject to amendments include: personal status (family) law, or some of its articles; penal code; labor law; nationality law; and the family protection law to combat domestic violence. One of the efforts with tangible positive impact on combating violence against women was undertaken by Jordan which enacted a family protection bill to combat domestic violence, supported by additional procedures such as introducing special chambers within courts for the hearing of cases of domestic violence.

Tunisia's legislation is considered an exceptional model in the region in terms of women's rights, including its personal status code, its nationality law, and legal provisions on optional joint property for spouses, etc. When assessing the Tunisian legislation, and taking into account other positive procedures that were introduced at a number of levels to reduce the gender gap, the conclusion would be that because of its exemplary legislation true gender equality should prevail in terms of fulfillment of rights, and equal access to opportunities.

In Lebanon, a number of advancements in the area of women's empowerment and gender equality were made in the time period 1959-2011, the most salient of which are: equal shares in inheritance for males and females (Christian sects); the right to choose one's nationality after marriage; freedom of movement that does not require the husband's consent; the right to establish and manage a family; equality in the end-of-service age; acknowledging women as witnesses for registration of property title deeds in the property register; empowering women to carry out trade activities without the need for a husband's consent; the right of a female public servant to continue her work in the diplomatic service if she marries a non-Lebanese; rights of married women related to life insurance policies; initial partial amendment of Article 562 of the penal code by annulling the lenient excuse of the perpetrators of honor killing and replacing it with "reduced sentence" – the article was abolished at a later stage; and the right given to a mother to open a bank account to the benefit of her underage child. In addition, most Lebanese personal status laws allow women to keep the property that they bring into a marriage, and to maintain her personal property as such independently.

The Palestinian National Authority made attempts to achieve improvements in the area of women's empowerment at all levels. It did so through introducing amendments to its legislation, to a number of laws, and to systems, all which regulate different human development areas such as education, health, and other social, political and economic domains. However, many laws that are in effect

today in Palestine are not only complex and complicated, but they are also Palestine's inheritance from other countries such as Jordan and Egypt, the British Mandate, or Israeli occupation. This makes these laws inadequate to address and regulate modern day needs, and they do not reflect the ambitions of the Palestinian people in general, and Palestinian women in particular. While the Palestinian legislator incorporates the principles of gender equality and non-discrimination, and while some articles that allowed for the application of "leniency" were abolished from the penal code, there are still a number of laws which contain gender based discriminatory provisions, and some provisions directly violate women's rights (penal and personal status laws).

In summary, the laws and constitutions that are in effect in Arab countries have two main characteristics: First, they may be highly oppressive and unjust to any citizen, and to women especially; second, they may be in line with international standards that are enshrined in international conventions, yet their existence is reduced to paper and they find no practical enforcement. Hence, laws do not always accurately reflect the situation on the ground, and there is a strong need to introduce amendments to many of the laws if discrimination is to be eliminated. In this regard, the labor laws, nationality laws and personal status laws are of special relevance.

3.2. Laws that regulate work and economic participation

Social, religious and cultural norms affect the level of women's economic empowerment, regardless of the effected laws. While girls and young women show better performance in higher education in many fields of specialization, they still remain largely absent from the important positions in government agencies and the private sector. They also have less access to and control of resources, regardless of their capabilities or educational attainments. These contradicting situations can be explained by the social, religious and cultural norms that govern societies in all fields of life.

Some amendments that were made to some of the laws came in the spirit of encouraging private initiatives related to women's economic empowerment, whether at the personal level or the social and economic levels in general. Specifically relevant here are the amendments to labor laws, income tax laws, social security laws, civil retirement laws, and the civil service systems. Still more efforts are needed to eliminate discrimination against women in the economic domain. This can only be achieved through adopting comprehensive approaches to amend all laws that related to women's economic empowerment. In Jordan a number of laws were amended, such as the pension law, social security law, civil service system, and laws and provisions related to loans – especially those that benefit women's projects. These amendments need to be complemented by government programs that specifically work to the benefit of women's economic empowerment supported by adequate budgets.

A general observation is that the goal of achieving equality between men and women has reached national agendas, and that governments assign importance to integrating this goal into various strategic interventions and programs. Governments also began integrating gender concepts into plans and budgets; this is the case in Jordan (Ministry of Planning and International Cooperation), Morocco (Ministry of Finance) and Egypt (The National Council for Women). There remains a need to support the resources and capacities of states in this regard.

There is also a trend toward activating networks and joint program implementation between government agencies and civil society organizations under the umbrella of national strategies for the empowerment of women in economic and political participation. This cooperation between the government and non-government sector in Jordan includes the development of joint action plans, implementation of program interventions, brainstorming and agreeing on suggestions for law amendments. Jordan is a good example for this shift in direction, especially in the area of making funds available for women related programs and projects, and in establishing cooperation mechanisms between the two sectors in which the civil society plays an intermediary role between the government and the

women benefiting from the funds. However, the results achieved so far remain below expectations. Also, the amendments made to Jordanian laws to the advantage of women are still insufficient and further amendments need to be introduced to ensure a greater level of compliance with international conventions. Jordan should also take further measures regarding its reservations on the CEDAW if it wishes to expand the areas in which women participate.

Tunisia has undergone radical changes in economic and social development. This resulted in better living conditions and a reduction in the poverty level, diversification of the economy and the emergence of new productive industrial sectors, a reduction in agricultural activity, expansion of social life (especially through urban development), and an increase in life expectancy at birth. Although equality between men and women is the underlying principle of the Tunisian legislation, there are a number of shortcomings at the practical level. These shortcomings include a lack of targeted interventions that promote the economic empowerment of women. Such interventions could include special programs that are designed to close the gender gaps in sector employment and to reduce the obstacles women face in becoming economically active – the success of such interventions is more dependent on institutional structures and functioning than on laws. The rate of women in decision making positions in the public sector is still as low as 13.4 percent for director general positions at ministries, and 22 percent for director of ministry, although 44.3 percent of public sector civil servants are women. The rate of dependent families increased in 2011 to 8 percent among women workers, whereas the same rate for men is only 3.2 percent.

Women's work in the agriculture and textile sectors continued its hike attracting 42 percent of the female labor force, but only 20 percent of the male labor force. Other problems related to women's economic participation include marketing of products of micro-businesses in the absence of government support, and difficulties in getting funding for medium and big projects where numerous guarantees and proves are required, such as property title deeds. In conclusion, discriminatory practices based on gender still prevent full economic participation of women and hence limit women's opportunities in reaching decision making positions. The Tunisian state is not in a position to guarantee equality between men and women in work and employment, and especially not in the private sector. Globalization contributes to the already existing challenges that stand against the economic participation of women. Globalization affects sectors such as textiles and clothing and leather industries; in Tunisia more than 71 percent of workers in these sectors are women, an equivalent of 22 percent of the female labor force. The Tunisian government is forced to adapt its economy to the changing requirements of a globalized market. Based on the previous example, the Tunisian government is required to plan for the redistribution of the affected female labor force, in cooperation with the Ministry for Women's Affairs and its partners.

In addition, the new challenges that emerged in the aftermath of the Arab Spring and potential set-backs to women's situation need to be taken into account early on. Although women actively participated in the political events in Tunisia, the interim government has not yet taken any steps to support women through women's projects. This partially explains the vulnerable economic situation of women, since women are more affected by crises than men. An assessment of the employment situation that was conducted in Tunisia in the second third of 2011 reveals that the overall unemployment has risen from 13 percent in May, 2010 to 18.3 percent in May, 2011. This means a 5.3 point increase in the unemployment level. The findings of the assessment are in line with the general observation that unemployment among women tends to be higher than among men. The assessment found that unemployment among women was estimated at 27.4 percent, and 15 percent among men, or an equivalent of 4.9 points for men's unemployment level and 8.5 for women's unemployment level.

The factors that negatively influence women's economic empowerment include: low level of wages and income; difficulty in balancing between work and family life requirements; and the burden resulting from multiple roles that women perform within the household. Another important factor is the low rate of women in decision making positions through which they would assume control over the management of women's issues.

In the pre-revolution period, women's representation in key positions of the legislative and executive authorities was weak. After the revolution, the country, so far, did not match its policies with its progressive legislation. On the contrary, the government's position towards women shifted away from promising the elimination of discrimination and is now, instead, "promising" the elimination of past gains made in gender equality. The flaring up of violence against women confirms this shift in direction. Many leaders of political parties promise to protect and hold on to the principles and gains made in the past. The reality, however, is different. To give an example on how political promises differ from their practical implementation, one only has to look at the decisions taken by the Tunisian High Committee to Safeguard the Revolution on the post-revolution National Constituent Assembly elections. The Committee decided that the fifty-fifty principle should apply when forming electoral lists, by which men and women candidates would be listed in turns. What followed in practice resulted in the election of 2 women and 14 men to represent the Tunisian people in the Independent High Electoral Commission (ISIE).

The Lebanese legislation does not discriminate between men and women in the laws related to work. It does not discriminate between men and women in their right to work, opportunities and conditions, remuneration, and work/ employment continuity. Labor laws in Lebanon even provide a certain extent of protection to women, supported by a number of positive procedures that strengthen equality and non-discrimination between male and female workers and employees. At the same time, there exist also procedures that do allow for work related discrimination, and also discrimination among different categories of workers. For example, neither the labor law nor the social security law covers workers in the agriculture sector; this negatively impacts women in rural areas in terms of fulfillment of their basic rights and their access to and control of resources.

There is no discrimination between men and women for obtaining bank loans and mortgages. Other than some general statements made by the government on ensuring equality between men and women, nothing much has happened with regard to women's economic empowerment; initiatives for women's economic empowerment remain absent from public policies. The Lebanese government, in its various statements, has made promises not only to ensure gender equality, but also to align its national legislation with the provisions of the international conventions to which it is party, to honor its international obligations which would enhance social and economic life, to provide social protection, and to allocate public budget to solve urgent social issues, and to address root causes of poverty, unemployment, and migration. The government promised to take all these issues seriously and to focus specifically on vulnerable population groups and women.

The Palestinian Basic Law is based on the principle of equality of all citizens before the law. It guarantees its citizens a number of basic freedoms, such as personal freedom, and it guarantees equality in work and employment opportunities in the public sector. This alone does not ensure the realization of such freedoms or equality in practice. Law enforcement should be done in a way that respects the principles of the Palestinian Basic Law, which guarantees women the fulfillment of their rights without discrimination between them and men. National legislation needs to be upgraded to the level of the Basic Law. The Palestinian legislation does not discriminate between men and women in issues related to the right to work, and work and employment conditions. However, it discriminates against women in the laws that regulate private life. For instance, it discriminates against women in the application of labor and pension laws based on sex. These forms of discrimination disadvantage women, especially poor women, women

working in agriculture, and women living in rural areas who only have limited access to resources. The provisions of the Palestinian labor law do not cover workers in the agriculture sector – as is the case in Lebanon. Consequently, rural women’s basic rights are not fulfilled and they are kept away from accessing and controlling resources. There is no legal provision that obliges employers to equal remuneration for equal work. In addition, clear provisions related to maternity and to protection from sexual harassment at the workplace are absent. Other weaknesses in the Palestinian legislation include the exclusion of domestic workers and women working in the agriculture sector from its legal provisions.

The Palestinian women are subjected to traditions and norms that place men above women and acknowledge men as the main supporters and heads of their families. Women are placed second on the social status ladder based on the general perception that women are incapable of assuming control over their lives, and that they need support and protection by men. Despite all the legal, social, and cultural obstacles that Palestinian women face, they have succeeded – with the support from civil society and women’s organizations – in securing some of women’s legal rights.

4. Compliance with the principles of gender equality and women’s empowerment

Numerous challenges stand in the way of achieving gender equality. These challenges differ from one human development area to another. In the areas of education, health, provision of services, and environment, for example, states generally have no reservations on the related provisions of the CEDAW. These areas are not the focus of public debates and face only minimal social resistance. Therefore, the challenges facing the achievement of gender equality in these areas can be summarized in a general lack of resources and issues related to good governance. Yet, any analysis of challenges cannot be deemed complete if the underlying structural problems in the distribution of resources and access to them is not considered.

States have the right to include reservations when signing international conventions and they are required to translate these reservations into national legislations. However, the decision which reservations should be raised is often the reflection of a male mentality that is dominant in a society and which accepts the price of social injustice and inequality that is to be paid for these reservations. Most commonly, reservations are made on issues related to women’s rights, gender based violence, and women’s participation in decision making. Facing the challenges related to achieving gender equality requires taking different steps. A first step is to develop and strengthen a regulating framework for law enforcement, including amendments of provisions and integration of accountability mechanisms. A second step is to campaign and advocate at the level of society as a whole for gender equality, making use of already existing efforts that fight discrimination and that demand legal retribution for acts of discrimination.

In the previous sections, we presented the findings of the analysis of a number of issues related to women’s economic empowerment. These issues included: compliance of national legislations with international principles as stipulated in international conventions which the four countries have ratified; incorporation of the principles of gender equality and women empowerment in national legislations; and translation of principles into reality through set-up of relevant mechanisms and procedures. The overall conclusion from the analysis is that, despite differences in country contexts, the countries that have ratified some of the international conventions resemble each other either in the reservations made to these conventions, or in the non-application of the principles and provisions of these conventions on the ground, thereby affecting the public and private lives of citizens and women’s economic participation. The second resemblance also applies to those countries that made no reservations.

4.1 Translation of international obligations of states into national legislations related to the regulation of public and private domains

Tunisia has submitted 6 reports to the UN Committee on the Elimination of all Forms of Discrimination Against Women. Reports number 3-6 were submitted in the form of two consolidated reports (3 and 4, and 5 and 6). In its remarks, the Committee acknowledged advancements made in the area of strengthening women's rights. In its recommendations, the Committee encouraged an inclusion to the text of the Tunisian constitution that would explicitly reject discrimination, and the enactment of a special law to eliminate violence against women. The Committee also recommended that Tunisia withdraws its reservations to the CEDAW. The Committee in its remarks on consolidated reports 5 and 6 commended the continuous efforts undertaken by the Tunisian state toward achieving gender equality and toward achieving full compliance of national legislation with international standards and principles. In its remarks, the Committee considers Tunisia an example for Arab and Islamic countries. At the same time, the Committee expressed its concern regarding the absence of an explicit declaration of the principle of gender equality in the Tunisian Constitution.

According to the Committee, Article 6 of the Tunisian constitution stipulates equality before the law, but at the same time the constitution does not explicitly declare that the principle of gender equality is the basis for all legislation. The constitution also does not include a definition of "discrimination against women" in accordance with Article 1 of the CEDAW. The Committee urged the Tunisian state to take action in response to the two aforementioned concerns in compliance with Articles 1 and 2(a) of the CEDAW. It also encouraged the Tunisian state to broaden the scope of accountability of public and private institutions in accordance with Article 2 of the same convention so as to ensure formal and objective equality between men and women.

Lebanon is a State Party to 6 out of the 7 main UN human rights instruments . The advancements made in implementing these conventions at the legislative, judicial and administrative levels cannot be denied. Indicators on these advancements are available, reflecting an increased level of women's participation in all areas, including in the private sphere where women's status in family and social life has risen, or in the areas of political and economic participation. However, more efforts are required to eliminate all forms of discrimination against women and to achieve gender equality. Such efforts should include withdrawing Lebanon's reservations to conventions, to which Lebanon is a State party, especially those made to the CEDAW, and specifically to Article 9 on the right to nationality, Article 16 on regulating marital and family relationships, and Article 19 on dispute resolution.

While there is no doubt about Lebanon's commitment to fulfilling its obligations at the national, regional and international levels, the actual translation of these obligations into facts on the ground is extremely difficult, not to say impossible. The superiority of sectarian laws – different sectarian laws regulate life and freedoms of citizens and they apply according to one's sectarian affiliation – over other national laws is stipulated in the Lebanese constitution, and hence the provisions of other national laws that guarantee gender equality and prohibit discrimination in line with international standards and agreements become redundant. Moreover, the function of the Constitutional Council is made devoid of meaning, where sectarian affiliations replace the principles of equality and human rights.

The Lebanese legislation promotes principles that stand in opposition to the principles of the Lebanese constitution. While the Lebanese constitution confirms Lebanon's commitment to achieving the principles of equality and non-discrimination and human rights in national legislation and in law enforcement, a number of laws – especially the sectarian personal status laws and the penal code – contain discriminatory provisions that not only prevent the fulfillment of women's basic rights and freedoms, but even permit violence against women thereby threatening women's right to safety and security, or in other words any woman's entire existence.

This situation has made the passing of a civil personal status law impossible, although such a law would eliminate the prevailing inequality between women in issues related to marriage, inheritance, divorce, and giving their nationality to their husbands and children, and it would also protect women from domestic violence and other forms of violence such as honor killing.

The Palestinian National Authority does not enjoy the status of a state within the UN system. Accordingly, it is not obliged to signing or ratifying international human rights instruments, including CEDAW, and it is not required to submit periodic reports to the UN's different committees that monitor the implementation of these international instruments. Although the Palestinian National Authority is not a state, Palestinian President, Mahmoud Abbas, signed the Convention on the Elimination of All Forms of Discrimination against Women.

The Palestinian President and Prime Minister declared, on many occasions, that the Palestinian National Authority is committed to the Universal Declaration of Human Rights and to the other international human rights instruments, and that these serve as reference for the development of national legislation, policies and programs. Among the positive points in the Palestinian legislation is the emphasis on the equality between men and women in legal and civil matters in line with CEDAW Article 15 paragraphs (1), (2), and (3). Article 15 of the CEDAW requires that governments give women equality with men before the law, including rights to enter contracts, administer property, appear in court or before tribunals, and to choose residence and domicile. This article of the CEDAW considers invalid any property title deeds and contracts that are not based on acknowledging that women's legal capacity is identical to that of men and that women have the same rights to exercise that capacity.

It is important to bring to attention that the occupying power is demanded by the relevant UN Committees to submit periodic reports on the implementation of human rights instruments. Hence, the occupying power is obliged to submit to the UN Committee on the CEDAW periodic reports on the situation of Palestinian women, and to clarify reasons for violations of their rights, or reasons of non-enjoyment of their rights. However, Israel does not assume its responsibilities in this regard.

4.2. Compliance with international labor standards (work and economic participation)

The UN Committee on CEDAW has commended Tunisia on its efforts in integrating gender equality in its National Employment Strategy, but it also expressed its regret over not receiving official data that inform of the actual enactment of legislation related to labor and collective contracts. The Committee also voiced its regret over the absence of measures in the Tunisian legislation that specifically enhance gender equality, and it expressed its concern over the low economic participation rate of Tunisian women, and the rise in the female unemployment rate given the parallel improvements in female's educational attainment.

Further concerns of the Committee relate to the concentration of the female labor force in low income sectors – such as textile and clothing, and other sectors of the informal economy – where only minimal skills are required, where work conditions are harsh, and where a big gap in wages between men and women is norm; all this stands in stark contradiction to international conventions that stipulate equal wages for equal work. As a rule of thumb, the Tunisian female worker receives 78 percent of the wage paid to male workers. Women are also under-represented in the executive positions and in the boards of private sector enterprises. In addition, maternity leave varies in duration in the public and private sectors, despite the legal provisions that acknowledge the right to maternity leave; this contradicts ILO Convention No. 183 on Maternity Protection. The UN Committee on CEDAW sees positively the provisions that were introduced to the Tunisian law

number 2006-58 by which mothers of young children, and mothers of children with disability, are allowed to work on a half-time basis with a guaranteed entitlement to two-thirds of the full-time wage and full protection of their social welfare entitlements, promotion, leave, and pension.

Such provisions should also equally be applied to fathers. The Committee sees in the insufficient provision of day-care centers for children a reason for the increasing trend of women seeking employment in the public sector, and that this trend will eventually prevent poor families, and especially families from enjoying such services. The absence of a comprehensive policy for women's economic participation constitutes a further obstacle for women to enter the labor force. The Committee also sees that the prevailing role distribution, whereby women carry sole responsibility for housekeeping, as another hindrance to women's economic participation, and it urged the Tunisian state to take appropriate measures that would lead to a more balanced role distribution in the household. Such measures could include awareness raising campaigns that target both women and men, in addition to establishing a system of incentives for part-time employment.

In its remarks on the situation of rural women, the UN Committee on CEDAW encouraged the Tunisian state to continue with its rural women's economic development policies and programs so that rural women's access to health care, education and social services is guaranteed. However, Tunisia is requested to include in its next periodic report data on the following: the situation of rural women, especially elderly rural women; results achieved through the implementation of relevant policies in the area of access of rural women to education and health care services; and impact of laws and procedures on women's economic empowerment and women's access to and control of resources.

Lebanon ratified 50 International Labor Conventions, 48 are currently in effect . Other laws were drafted under international pressure, such as the Law on Punishing Human Trafficking Crimes. This law has not received much legislative attention in the sense that no supporting procedures were established to support the enactment of the law, and the required scrutiny by the responsible authority of organizations that meet the categories that define human trafficking has not yet taken place . Lebanon has not ratified a number of other agreements such as Maternity Protection Convention 183 - International Labor Organization.

Despite the amendments made to the labor law that stipulate that discrimination based on sex shall be prohibited in all areas related to work, remuneration, and employment, and also despite the amendments made to the social security law that ensure all persons enrolled in it 25 years of benefits regardless of their sex, some reservations still pose obstacles to advancing improvements in public and private lives of citizens. Based on the situational analysis and the findings of the legislation review that were presented in the previous sections, one can conclude that the impact of legislation, policies and programs on women's economic empowerment is still limited, despite the existence of economic empowerment programs, financial support mechanisms, strategies and even gender sensitive initiatives. Hence, another conclusion is that more effective interventions are needed in order to achieve women's rights and women's economic empowerment, including women's access to and control of resources, and women's access to decision making positions, and women's independence. Without initiatives that are specifically designed to introduce equality between men and women in all walks of life, the gender gap cannot be closed, and the principle of gender equality and non-discrimination will never rise to become widespread social, political and economic demands.

The Palestinian legislator has succeeded in integrating international labor standards into the

Palestinian labor law even though the Palestinian National Authority has no UN country status and is, therefore, not obliged to become a State party to international human rights instruments. Nevertheless, provisions of the Palestinian labor law are in line with international conventions that stipulate that during the first 6 weeks of a woman giving birth she shall not be allowed to work (Article 103 of the labor law), and that she shall be entitled to paid maternity leave. The Palestinian labor law also regulates women's night work and women's work in dangerous professions. The law promotes equality in opportunities, and equality in treatment with regards to employment and professional training. Shortcomings in the Palestinian labor law include: excluding agriculture and domestic workers from some of the law's provisions; reducing maternity leave from 14 to 10 weeks in contradiction to the provisions of the Maternity Protection Convention 183 - International Labor Organization (2000); and failing to define the minimum wage.

4.3. Policies and mechanisms

4.3.1. Policies

The four countries included in this study have endorsed the UN Millennium Development Goals (MDGs), and they have committed to achieving these by 2015. Interestingly, Goal 3 "gender equality" finds only a narrow interpretation in these countries. Based on prevailing interpretations, achieving Goal 3 is limited to reducing the gender gap in primary and secondary education. This narrow interpretation does not take into consideration the inter-relatedness of the MDGs, where achieving gender equality also contributes to poverty reduction, reduction in child mortality rates, and to stopping the spread of HIV/ AIDS. The following observations can be made with regards to policy formulation and policy implementation:

- International plans for action (Vienna, Cairo, Beijing, Millennium Summit) which were endorsed by Arab countries are not enacted based on the argument of insufficient capacities.
- Policies and Strategies for women are developed to cover a broad scope of development issues such as: women's empowerment, including marginalized women such as rural women (Tunisia); elimination of all forms of violence against women (in peace and in conflict). These tools are mainly developed with the financial support and technical assistance provided by international organizations. The implementation of such tools stops when projects end, and only rarely do countries assume the responsibility of achieving the desired outcomes of implementing these tools.
- Countries use the MDGs as an excuse to deviate attention from the fact that focused strategies are desperately needed; strategies that would be specially designed to strengthen women's empowerment in the economic, political and civil spheres and that would ensure fulfillment of women's rights in the long-run. Countries ignore the fact the gender cuts across all MDGs.
- National strategies lack sufficient budgets that would cover all implementation needs and ensure that expected outcomes and impacts are achieved in the long-run. Hence, in most countries – with a few exceptions where strategy budgets are sufficient – national strategies are of no practical value.
- None of the Arab countries has adopted gender sensitive budgeting approaches in the development of national and sector plans, or in strategies that focus on specific areas of development, such as poverty reduction for example. There are few exceptions where countries did include within their budgets allocations for training on gender, or where gender indicators were included in the plans' and strategies' logical frameworks.

4.3.2. Mechanisms

- National Councils for Women, gender focal units, and ministries concerned with women's and

family issues lack the mandate and technical capacities to effectively assume their role in mainstreaming gender, strategic planning and auditing, monitoring and evaluation of strategy implementation, analyzing financial requirements and developing gender-sensitive budgets accordingly. They also lack the capacity to institutionalize gender and to monitor violations of women's rights, and especially violations of women's economic rights – a task that requires financial resources and technical knowledge.

- Absence of adequate monitoring tools that would allow for the collection of data and generation of strategic information on the implementation of national and international mechanisms for women's empowerment. Such data would constitute a baseline and would inform design of interventions for further expansion of women's participation, including in non-conventional positions.
- Absence of the concept of accountability in governance structures, and hence the absence of accountability mechanisms. Such mechanisms need to be developed, implemented and strengthened.

4.4. Economic and financial contexts

- Political instability leads to economic crisis with long-lasting and cumulative effects on the society, but also on women's poverty.
- Women's and rural women's weak economic participation and limited access to resources and benefits: In the Arab countries with the lowest economic growth rates women's economic participation in sectors other than the agriculture sector declined by 5 percent in the time period 1990-2004. The average economic participation rate of women in paid employment positions within the industries and service sectors in the region was 18.3 percent in 2004.
- Women's economic participation is concentrated in the informal sectors and rural areas. Women generally lack access to finance mechanisms.
- Limited organizational capacities and abilities to manage income generation projects; limited participation in social and professional organizations and structures.
- Lack of lending models and opportunities for women, and limited number of institutions that provide small loans.
- Lack of savings that could increase available resources and improve resource distribution; poverty and economic disadvantages that prevent women from making use of resources to invest these in development activities.
- Limited investment in diversifying agricultural production leads to limited engagement of women as potential beneficiaries of such investments. Women's benefits from such investments exceed remuneration benefits since they benefit also from increased food security of women and their families. Women play an important role in agriculture. On a global level, women agricultural workers' input by work hour equals two thirds of the total number of work hours dedicated worldwide to food production. At the same time, women only earn 10 percent of the global income, and they own less than 1 percent of global wealth .

II. PRIORITIES AND REFORMS

1. Opportunities

The stakeholders from among policy makers who were interviewed during rapid participatory assessments in the course of this study were asked about existing opportunities which, in their opinions, should be used to advance achievements in the area of gender equality and women's empowerment. They were also asked to specify past opportunities that led to current achievements in Arab countries in general, and the countries included in this study in particular. Their answers are summarized as follows:

- Political will that supports women's issues, "there is political support to bring about change... there is a decision that says "we must support women ;" some extent of flexibility on part of legislator .
- Laws; "there is a continuous process of revising and amending laws, because we support such practice, and the laws are not carved in stone," even though the amendment of laws may require some time and additional efforts.
- Diversity of government and non-government institutions and organizations, and other civil society organizations that are well embedded in local communities and are trusted by local populations.
- Building on past success stories in the area of women's economic development at the institutional level; encourage creativity and productive competition between institutions and at the level of individuals.
- Building on success stories of women and collecting evidence of effectiveness of working with women, especially in the areas of service provision, training, and loans. Women have proven their seriousness when working on projects, "women are serious when it comes to paying back loans, and they are more serious about setting up projects than men are...and they make sure to make best use of training opportunities, more than men do, which encouraged us to work and focus more on women's empowerment, we therefore empower them within their specific fields through micro, small and medium projects. " The respondent believes that the reason behind women being more serious than men in working for development can be found "firstly, in women's work ethics, they are more committed and they want to pay back the loans, and secondly women's fear from legal procedures." The same respondent assured that "the success rate of women is higher than that of men."
- National and international interests in adopting the concept of social accountability when categorizing the performance of institutions and enterprises, and in adopting social performance indicators that are used to measure impact of gender policies and their implementation.
- Countries' obligations to comply with international agreements and conventions constitute motives to achieve women's human rights and gender equality, in the sense that "we are translating them [obligations] into legislations and policies...the legal working groups are always careful to integrate the provisions of international instruments when modernizing legislations, especially those that enjoy general consensus and to which there are no reservations, and there is awareness raising and training on these [amendments]." Jordan is keen on making progress that can be included in its periodic reports to the UN, and that would reflect its international commitment; "we understand that Jordan is required to submit periodic reports...some conventions, such as the CEDAW and others, there have to be periodic reports, this pushes us to achieve change."

- Donor organizations are interested in advancing women's and gender issues through bilateral or international cooperation agreements, making the inclusion of these two topics into projects conditional to releasing funds.
- Realizing a certain extent in equality between women and men as workers through the abolishment of provisions that previously limited women's economic opportunities, such as the provisions that included the conditions of the husband's consent over the wife's work, and obtaining the husband's approval when the woman's guarantee exceeded one third of her money, or provisions that limited the freedom of women's movement (passport, travel, etc.).
- To provide legal guarantees for the safety of women that do not constitute at the same time a withdrawal of women's opportunities in work and employment .
- Equal opportunities through benefits from a variety of mechanisms that are put in place to promote employment; especially those mechanisms related to vocational training, and integration into the labor market, the right to equal remuneration, and those related to funding of small and medium projects.
- Strengthen the economic capacities of women, and activation of trade networks that promote women's products especially those related to traditional industries, and organizing free exhibitions for women handicrafts "Women Handicrafts Forum" , and the "Bazar" .
- National strategies for the empowerment of women whether comprehensive or focusing on specific areas.

2. Challenges

Women have made some important advancements at the personal level. These include raised levels of self-perception and self-esteem, freedom of choice in her personal and public life, and taking decisions at the level of her family. These advancements can be observed in all countries in the region, including those under study here. One cannot deny factors and opportunities that triggered advancements in women's empowerment and women's access to and control of resources, including laws and policies and programs related to social and economic development through which women are able to reduce existing gaps and improve their social status. These positive factors are present even when other challenges that limit women's empowerment remain, such as weak implementation of programs and policies, and weak institutional performance. Of these challenges we count:

- Absence of explicit texts within constitutions that prohibit discrimination on the grounds of sex and that demand equality in opportunities in the economic domain.
- Absence of positive discrimination measures to the advantage of women in the economic domain, in parallel to positive discrimination already practiced in the political domain where women quotas have contributed to increasing the level of women's political participation and women's representation in the two houses of parliament and in local councils (Morocco, Algiers, Jordan, Libya, Palestine, etc.).
- Weakness in institutionalizing gender, and weakness in mainstreaming gender into development planning and in budgeting because of lack of political will and lack of coordination between all actors, including the different government agencies, working on women's issues.
- Increase in illiteracy rates among rural populations in general, and among rural women in particular, and relatively early school drop-outs in rural areas.
- Limited training and capacity building opportunities, especially for populations living in rural areas.
- Opportunities for girls' vocational training are limited to those areas that are not in demand in the labor market.

- Limited structured support provided to women to relief them of the burden of the multiple roles they play in the household and in public life (such as establishment of day-care centers for children and kindergartens).
- Outdated, old-fashioned mentalities prevail in society in the absence of communication campaigns that aim to modernize local mentalities, in the sense that citizens adopt a different view toward the economic participation of women, role distribution between men and women within the family, acknowledging the three different roles women play, and importance in creating a balanced environment where men and women equally share the burdens and responsibilities of life.

All these challenges have limited women's economic participation and prevented women from accessing and controlling resources. It is for this reason that the challenges listed above will serve as a reference point in identifying priority areas for future interventions and reforms.

3. Principles and stances

Non-discrimination and equality are core principles of human rights; they are inseparable, interrelated principles which together reflect the extent of fulfillment of human rights. Economic rights cannot be fulfilled in the absence of civil, political and social rights, or vice versa. Hence, when women are excluded from participation, the conclusion is that these two principles are not implemented. It is a fact that the full inclusion of women in economic and development processes leads to comprehensive empowerment of women, in the sense that women enjoy their full human rights in public and private life. These two principles and women's empowerment cannot be separated from each other, and both the challenges and opportunities in this regard need to be taken into account in any strategic development approach.

The respondents who were interviewed in the course of the study hold different views and stances with regard to reform priorities on the path to effectively achieving women's economic empowerment. However, they do agree on a number of main points which can be summarized as follows:

- Gains made with regard to women's rights and women's empowerment need to be safeguarded. This can be achieved through carrying out targeted awareness raising campaigns, and monitoring the enforcement of legislations, such as monitoring that employers obey by the legislative provisions that grant women certain entitlements which make easier their integration into the economic processes (for example maternity, establishing day-care centers, etc.).
- Positive discrimination is needed for ensuring women's empowerment. Women need to be provided with opportunities to reach decision making positions so that they may take active part in the development of policies and in the design of national programs. This could be achieved through introducing a quota system. Positive examples of quota systems can be found in developed countries. One of the respondents finds it more meaningful to begin with the implementation of steps that can more easily achieve results, saying "government decisions are needed, they should be easy, and should not immediately target changing an entire culture or the legislation....women should be placed in decision making positions...they need to reach such positions even if through quota, as was done in developed countries to increase women's participation in the executive boards of enterprises."
- A comprehensive concept of women's economic empowerment needs to be applied. A comprehensive approach is applied when efforts are taken in parallel at different levels and in different areas, hence recognizing that economic participation is also dependent on personal development capacities, health, laws, and the social and political environments. It also requires that all women are included in this approach: urban and rural women, women of the Badia, women working in farming, businesswomen, educated and uneducated women, housewives,

and others. This is because "women's economic empowerment is not an isolated area of work, but it is closely linked to political participation, social empowerment, and opportunities to attain education, etc."

- The educational system needs to be reformed and modernized. Importance needs to be given to human resources planning and human resources development in a way that ensures that the system is adapting to changing situations. It is also important to focus on providing opportunities for specialization within higher education and vocational education that reflect actual demand in the labor market. National initiatives that promote education should be encouraged such as provision of advanced training and learning opportunities for workers and employees.
- Work environments and labor laws need to be improved, and mechanisms for monitoring progress made in this regard need to be established.
- Employment opportunities need to be created, and employment should be secured and give consideration to the various roles women play in society.
- Efforts in the areas of research, media and communication and institutional culture need to be intensified and utilized so as to bring about changes in mentality and attitude. The aim is to emphasize positive values of the local culture, and to reject other negative values that stand in the way of achieving justice and gender equality and women's empowerment. Negative values also include misinterpretations of Islamic Shari'a.
- Establishment of an independent commission that specializes on monitoring and evaluation and that develops indicators based on scientific standards. This commission would assume the following functions:
 - To monitor the performance of development institutions concerned with women's empowerment, assess progress made, and encourage a constructive competitive environment among these institutions toward achieving national objectives related to the social, economic, and political empowerment of women.
 - To conduct impact measurement of programs, projects, and lending models on the situation of women.
 - To assist in reforming institutions toward a more specialized division of roles and functions.
 - Establishment of an independent commission that is responsible for organizing the granting of loans, monitoring and coordinating loan granting practices, and conducting ongoing and regular monitoring and evaluation.
 - The media needs to assume a greater role in communicating positive development messages especially those related to women's success stories in all fields of development, "acknowledgement of women who have succeeded in the areas of economic empowerment, improving their families' living standards, professional success as businesswomen...we have to highlight such achievements."
 - Women's solidarity among each other also needs to be strengthened through professional networking in the sense of "(women support women), women support each other, businesswomen support each other, women working in farming support each other, and so women in all walks of life support each other."
 - Private sector investment in governorates and remote areas needs to be encouraged, especially after that public sector employment capacity in these areas has already reached a level of saturation.
 - A database on the informal sector needs to be developed and maintained, and this sector's contributions to the national economy should be estimated.
 - Institutions need to become involved through education and awareness raising in ensuring that men are always considered key partners in any approach toward improving women's situation and that of their families, and that men are involved in problem solving, and that men are also provided with the capacity building they need so as to be in a position of raising the living standards of their families.

III. RECOMMENDATIONS AND STRATEGIC INTERVENTIONS TO INFLUENCE REFORMS, FOLLOW-UP AND COORDINATE

Women in the Arab region today are subject to traditions and norms that place men above women and acknowledge men as the main supporters and heads of their families. Women are placed second on the social status ladder based on the general perception that women are incapable of assuming control over their lives, and that they need support and protection by men. These norms affect the lives of all women, regardless of their educational level, their profession, their political and economic engagement, their societal and family status, and their cultural and religious affiliations. Discrimination is practiced against women through legislation where some laws, such as the labor law and the social security system, reinforce societal gender structures and role divisions. Discriminatory provisions in laws relate to issues such as maternity, freedom of movement, choice of work path and work place, sexual harassment, pension and other family-based entitlements, and healthcare.

Generally, rural women working in agriculture and domestic workers (servants) are excluded from the laws (in Lebanon and Palestine, for example). Labor laws and social security systems contain discriminatory provisions in the sense that these provisions find different applications depending on social groups, geographic factors, and economic background. Such discrimination especially affects the most vulnerable women, who are either poor, or at risk of becoming poor, and those who have no access to empowerment opportunities. This is usually the case of rural women and women working in the agriculture sector. The analysis presented in the previous sections has identified the main challenges that stand in the way of women's empowerment, and that sometimes even threaten to reverse past gains and achievements in the area of women's rights and empowerment.

The most prominent practices of discrimination against women are enshrined in personal status laws. These laws foster discrimination between men and women in general, but also between women of different social, geographic, religious, sectarian, or tribal backgrounds. The provisions of these laws even discriminate between women who are of the same social status, geographic area, religion, sect, or tribe based on education, social and economic differences.

In some countries, forms of discrimination between men and women include inequality in legal provisions, conditions for the application of such provisions, and definitions of what constitutes crime and punishment. It also includes unequal distribution of access opportunities to resources, and use and control of resources, in addition to unequal power structures in decision making processes, within or outside the family and household, and opportunities in participation in such processes. Despite these manifold legal, social and cultural challenges, women in the region have achieved some of their legal rights through the dedicated work of women's and human rights organizations and associations. Even though the legal challenges mentioned before are well known, policies that specifically address these challenges are still insufficient.

National policies and strategies that address women's issues often lack a clear vision for the needed interventions, and they lack budget and implementation mechanisms to ensure that these policies and strategies will achieve the expected long-term results. This is especially true for strategies on women's economic empowerment. Generally, initiatives that aim at eliminating discrimination and gender inequality in laws and practices do not receive attention or support. A lack of law enforcement, specifically enforcement of provisions of laws that promote equality, is widely observed. This is the reality of the region despite the existence of institutions that are mandated with improving women's situation, women's economic empowerment and achieving women's rights. These institutions are in need of clear mandates, and stronger technical

capacities. Negative factors that affect any development process are the socio-political (political parties, sects, tribes, etc.) and the conflict of interest that is carried out between men within the governing institutions, within families.

Political and social resistance to the principle of equality in certain areas of human development translates into obvious forms of discrimination that become integral components of laws, policies and practices. This resistance to the application of the principles of non-discrimination and equality are often confirmed by states reservations to conventions and international instruments. It then becomes a complex task to reverse this situation, to eliminate discrimination and inequality in rights, which will require multi-faceted strategies that are implemented at various levels, such as withdrawing states reservations, modernize legislations, introduce changes to the institutional culture, and influence local mentalities and attitudes. This explanation provides a picture of the dynamics that affect the situation of human rights in the region, and the situation of women in the region which is critically influenced by personal status laws, dominating male culture (especially in work and employment), and labor laws. All these challenges combined have led to certain patterns that reinforce women's weak economic empowerment, such as the tendency of young women to become engaged in self-employment, or free-lance activities, to establish only small businesses, or to give preference to the relatively safe and secure public sector employment over other types of employment . Yet, even to be able to take such choices and to be part of a trend is a luxury that not all women in the region enjoy.

The recommendations presented in this section are derived from two main sources: the findings of the desk review, and the findings of the rapid participatory assessments where respondents shared their views on urgent priorities and needed action and follow-up mechanisms. The findings in general reveal that women in the region do not decide over the course they wish their lives to take, not their social or their economic and political lives. Women cannot be equal partners in the development process as long as they are placed second after men in family and social status as is imposed by traditions and norms. The question of concern here is: where do we start?

One answer to this question was provided by Lebanon's First Lady, who is also the Chair of the National Commission for Lebanese Women, when she said: "Do we start from changing mentalities first, and legislation follows suit to foster this change and development in attitudes, or is it the other way around, where we would begin to work on introducing amendments to laws that discriminate against women, and then mentalities would adapt to the changed reality in the course of time?" The current situation cannot be changed unless a number of measures and initiatives are launched that pursue the same purpose: to mobilize political will toward introducing targeted change to local mentalities, attitudes and practices, and to amend laws that discriminate against women – these steps are not listed in order of their importance since they are equally important. The issue of women's empowerment is complex. It is not enough to secure employment for women, or to ensure that women have access to loans for projects they wish to implement.

The recommendations below are based on the previous analysis and presentation of findings, and they will cover the same areas that were presented in the previous sections. The reader will find that the recommendations we make here are not new, however, repetition of such recommendations is useful to encourage already existing efforts to continue, and to emphasize on the need for change. We assert again, that gender equality and women's empowerment require tremendous efforts of great variety that cover all related development areas and that are carried out at all levels.

1. Characteristics of an environment conducive to gender equality and women's empowerment

1.1. Legal framework and women's rights in the public and private domains

On the occasion of the 30th anniversary of the CEDAW (1979-2009), the regional CEDAW coalition "equality without reservation", in an open letter addressed to the Heads of Arab states, called for the strengthening of gender equality and women's citizenship. Their call included:

- Withdraw all reservations to the CEDAW, reform laws that discriminate against women and that prevent women from achieving their full rights as citizens;
- Integrate the principles of gender equality and non-discrimination into all constitutions, laws, and work plans, and ensure their implementation;
- Support and encourage the efforts undertaken by non-government organizations in the area of awareness raising on the CEDAW so as to ensure a more effective realization of the convention's provisions, elimination of all forms of discrimination against women, and fostering objective equality;
- Encourage the countries that are not yet State Parties to the CEDAW to become so (Sudan and Somalia);
- Ratify the Optional Protocol of the CEDAW, and ensure compliance of national legislation with the convention's provisions;
- Revise customary laws and traditional practices in cooperation with relevant authorities and institutions, such as traditional and religious leaders, and women's groups, and ensure gradual compliance and harmonization of national legislation with regional and international agreements, and ensure they come into effect at the national level;

1.2. Economic rights

1.2.1. The Right to work

the following solutions are recommended:

- The labor law should include explicit statements in its general provisions on the validity of the principle of gender equality in all aspects related to labor and work and in all areas related to work (remuneration, treatment of workers and employees, performance evaluation of workers and employees, and equal value to equal work, etc.).
- The labor law should introduce to its provisions positive discrimination measures to the benefit of women that ensure that all obstacles that stand in the way of women's economic participation are removed.
- The labor law provisions should equally apply to domestic workers (nationals and foreigners), and it should contain clear provisions that protect women from sexual harassment and other forms of harassment at the work place.
- The relevant authorities should establish a system of accountability that is applied to all those who commit violations based on discrimination against women, and the accountability system should include clear procedures for the judiciary to follow in relevant cases, such as sexual harassment cases in the public and private sectors.

1.2.2. Economic participation and property rights

Taking into consideration the important role women play in the economic domain, and taking into account the provisions of Islamic Shari'a that guarantees women's property rights, it is imperative that also the government takes appropriate protective measures that guarantee women's property rights as stipulated by laws and the Islamic Shari'a. This should include protection of inheritance entitlements (monetary, real estate, land) as stipulated in Article 15, paragraph (2), and Article 16 of the CEDAW. The reservations made by the United Arab Emirates on these articles should be withdrawn (the only Arab country with reservations on these two articles).

1.2.3. The right to maternity leave

Since Arab countries are member states in the International Labor Organization, all countries are required to review their legislations and laws and to amend these as needed, especially with regard to the following:

- Protection of working women during pregnancy and after giving birth;
- Continuation of payment and the right to maternity leave;
- Duration of maternity leave;
- Revise the conditions that define the right to maternity and its duration based on the duration of a women's employment prior to pregnancy (Egypt, UAE).

To ensure compliance with international standards as stipulated in Articles 4, 6 and 9 of the Maternity Protection Convention 183 - International Labor Organization, 2000 that is concerned with protection of women during maternity, and compliance with Article 11, paragraph (2) of the CEDAW, the countries are required to:

- Ensure development and implementation of a comprehensive national response that leads to a harmonization of national legislations with international standards.
- Ratify international conventions and instruments that countries have not yet ratified so as to give incentive for change, especially Maternity Protection Convention 183 - International Labor Organization, and ILO Convention No. 171, 1990 on night work. These two conventions are specifically relevant because they address special needs of women and protect them in their place of work while also taking into account women's multiple roles at home and at work.

1.2.4. Night work

- The two conventions listed below need to be ratified by all countries for the purpose of ensuring the harmonization of national legislations, and their implementation, with the provisions of these conventions which address crucial issues such as maternity leave, duration and conditions of maternity leave, payment during maternity leave, women's promotion are work, and the right to night work for women and pregnant women:
- Convention No. 171, 1990, especially Article 1(a) concerning night work for women and pregnant women, and Article 7, paragraph (3) concerning the consideration of maternity leave as regular work time that is factored into considerations for promotion.
- CEDAW, Article 11, paragraph (o) on the prohibition of adopting lists of types of work and employment from which women are excluded by law, as this is a violation of potential opportunities for women's career choices.

2. National and sector policies and plans

2.1. Gender-based and rights-based planning

- Development of a national plan for the implementation of CEDAW, taking into consideration also the recommendations made by the UN Committee on CEDAW to a country's periodic reports. The planning should include set-up of mechanisms, development of strategies, identify needed support, and coordination of national efforts.
- All countries should ratify the CEDAW and its Optional Protocol; this should be considered an urgent priority for all countries that have not yet ratified the convention (20 states).
- States should adopt women's issues as stipulated in the CEDAW and its Optional Protocol, and include women's issues in national plans and strategies.
- All interventions should be based on gender and rights-based approaches so as to emphasize that women, as right holders, are capable of claiming their rights.
- Ensure that human rights and equality concepts are integrated into formal elementary school curricula, and that these concepts are also taught in more depth at the higher educational levels.
- Document, monitor and evaluate the social dimensions of any development strategy, including the budgets.
- Introduce gender-sensitive budgeting approaches to national budgeting so as to capture the work performed by women outside the realm of official markets.
- Target a specific increase in funds allocated from national budgets to women's issues through appropriate legislations. This, in turn, will lead to the formation of an environment (good governance, conflict prevention, peace building) that is more conducive to achieving the national and international objectives and MDGs.

2.2. Women and poverty: Millennium challenges

Poverty is a gender issue . This is because different circumstances have different impact on men's and women's poverty. The structural adjustment programs have failed to eliminate poverty, because they failed to see poverty as a gender issue . On the contrary, the structural adjustment programs have caused the emergence of new problems that only became subject of debate at a later stage in time.

The enforcement of structural readjustment programs have also led to decreased government spending on social issues. Budget cuts affected a number of vital sectors such as education, health, social care, and local infrastructure. This weighed heavily on local populations as citizens were now forced to assume greater levels of responsibilities to ensure that their communities and cities receive necessary and vital services.

Local health care services, social care, infrastructure (especially water and sanitation) are usually considered women's domains for which she is held responsible. The cuts in public spending on these vital service areas have therefore had a direct impact on the scope of work expected to be performed by women. Hence, local communities witnessed a decrease in the level of health care .

In addition, the open market strategies led to an increase in employment opportunities in cities and urban centers, which led rural men to leave their families and communities and to move to find work in cities. Women were left behind with an increased scope of responsibilities in managing family affairs. Based on the previous, the following recommendations were made:

- Raise awareness and sensitize all stakeholders to the importance of achieving gender equality in leadership so as to reach the MDGs as planned. This is especially relevant to the areas of poverty reduction and sustainable development.
- Include women in leadership positions so that women may have an effective contribution in all phases of planning processes beginning with the situational analysis to developing intervention frameworks and monitoring and evaluating the implementation of policies and strategies. This is especially relevant to the areas of poverty reduction, environmental protection and combating desertification.
- Evaluation of gender sensitive policies and strategies to assess their impact on poverty reduction among women.
- Adoption of comprehensive budgeting policies that allocate budgets based on a comprehensive view of development issues rather than on specific development areas.
- More investments are needed in those programs that are designed to remove the negative impact of the structural adjustment programs through the support provided to women and rural women, for example, and through the implementation of projects that generate service provision at the local level and in a way that encourages creativity and constructive competitions between stakeholders.

2.3. Women's economic participation and employment

- Investments should be directed to the benefit of the poor in general, and the most impoverished women in particular, through appropriate national development planning and related mechanisms, which acknowledge women as valuable and necessary human resources to a country's comprehensive development approach – as opposed to regarding them as obstacles in the way of development.
- Governments should work toward ensuring a just distribution of employment opportunities, ensure inheritance rights, food security, access of women to resources such as land and property and other production resources, and ensure provision of sufficient support to women entrepreneurs.
- Capacity building of women should be given priority so as to ensure that women may make use of available work and employment opportunities. The capacity building of women should include areas of business management and administration and other personal skills (such as negotiation skills, decision making, leadership, laws, etc.). Protective mechanisms and relevant incentives should also be provided to ensure women's economic participation.
- Women should be encouraged to become members of chambers of commerce and trade, trade unions and other professional unions, and co-operations.

In summary, women have the ability to strengthen societies, to run businesses and enterprises of all sizes, and they are productive in agriculture and ensure the survival of their families. The studies have showed that women's participation in public life leads to stronger enterprises and public institutions.

The region is in dire need for a higher level of women's participation in political life so that the region may benefit from better decisions in policies that will lead to more stable societies. This is our experience, as women who are subjected to discrimination, violence and inequality, that we see that women's empowerment will lead to safer and more stable societies.

**National Legislations, Policies, and Mechanisms of Impact on
Women's Economic Empowerment In the Arab Region**

Case study in

Jordan, Lebanon, Palestine, and Tunisia

ANNEXES

Annex 1: Arab states and CEDAW: Ratification and Reservations

Reservations	Ratification	Signature	State
Article 2: The Government of the People's Democratic Republic of Algeria declares that it is prepared to apply the provisions of this article on condition that they do not conflict with the provisions of the Algerian Family Code.			
Article 15 (4), Article 16, Article 29 (1)	22 May 1996		Algeria
In case any of the conventions provisions contradict the Islamic Shari'a, the Kingdom of Saudi Arabia is not obliged to comply with such contradicting provisions.			
Article 9 (2), Article 29 (1)	7 September 2000	7 September 2000	Kingdom of Saudi Arabia
Article 2, applied within the provisions of Islamic Shari'a			
Article 9 (2), Article 15 (4)			
Article 16, on the grounds that this article contradicts Islamic Shari'a			
Article 29 (1)	18 June 2002		Bahrain
-----	31 October 1994		Comoros
-----	2 December 1998		Djibouti
Article 2: Egypt declares its readiness to implement the provisions of this article as long as these do not contradict the provisions of Islamic Shari'a.			
Article 16, Article 29,	18 September 1981	July 16, 1980	Egypt
Article 2, sub-paragraph (e)			
Article 9, Article 15 (2), Article 16, Article 29 (1)	6 October 2004		UAE
Article 2, sub- paragraphs (f), (g)			
Article 9 (1), (2), Article 16, Article 29 (1)	13 August 1986	August 13, 1986	Iraq
Article 2 of the Convention shall be implemented with due regard for the peremptory norms of the Islamic Shari'a relating to determination of the inheritance portions of the estate of a deceased person, whether female or male.			
The implementation of article 16 (c) and (d) of the Convention shall be without prejudice to any of the rights guaranteed to women by the Islamic Shari'a.			
Article 9 (2), Article 16, (1) – c; Article 16 (1) - d, g	16 May 1989		Libya
	11 July 1992	3 December 1980	Jordan
Article 9 (2); Article 16 (1) – f; Article 29 (1)	21 September 1994		Kuwait
Article 9 (2); Article 16 (1) – c, d, f, g; Article 29 (2)	16 April 1997		Lebanon
Article 2 : The Government of the Kingdom of Morocco express its readiness to apply the provisions of this article provided that:			
-They are without prejudice to the constitutional requirement that regulate the rules of succession to the throne of the Kingdom of Morocco;			
- They do not conflict with the provisions of the Islamic Shariah. It should be noted that certain of the provisions contained in the Moroccan Code of Personal Status according women rights that differ from the rights conferred on men may not be infringed upon or abrogated because they derive primarily from the Islamic Shariah, which strives, among its other objectives, to strike a			

balance between the spouses in order to preserve the coherence of family life.

Article 15 (4); Article 29 (1) 21 June 1993 Morocco

Upon ratification, Mauritania declared the following:

Having seen and examined the United Nations Convention on the Elimination of All Forms of Discrimination against Women, adopted by the United Nations General Assembly on 18 December 1979, have approved and do approve it in each and every one of its parts which are not contrary to Islamic Sharia and are in accordance with our Constitution. 10 May 2001

Mauritania

All provisions of the Convention not in accordance with the provisions of the Islamic sharia and legislation in force in the Sultanate of Oman.

Article 9 (2); Article 15 (4);

Article 16, regarding the equality of men and women, and in particular subparagraphs (a), (c), and (f) (regarding adoption)

Article 29 (1) 7 April 2006 Oman

Article 2 (a); Article 9 (2); Article 15 (1); Article 15 (4); Article 16 (1) – a, b, f; Article 29 (2)

29 April 2009 Qatar

Article 9 (2) on women giving their nationality to their children

Article 15 (4) on freedom of movement

Article 16 (2) – c, d, f, g: concerning equal rights and responsibilities during marriage and at its dissolution with regard to guardianship, the right to choose a family name, maintenance and adoption;

Article 16 (2): concerning the legal effect of the betrothal and the marriage of a child, inasmuch as this provision is incompatible with the provisions of the Islamic Shari'a.

Article 29 (1) 28 March 2003 Syria

General declaration: The Tunisian Government declares that it shall not take any organizational or legislative decision in conformity with the requirements of this Convention where such a decision would conflict with the provisions of chapter I of the Tunisian Constitution.

Article 9 (2); Article 16, (1) - c, d, f, g, h; Article 29 (1)

Declaration concerning article 15 (4): In accordance with the provisions of the Vienna Convention on the Law of Treaties, dated 23 May 1969, the Tunisian Government emphasizes that the requirements of article 15, paragraph 4, of the Convention on the Elimination of All forms of Discrimination against Women, and particularly that part relating to the right of women to choose their residence and domicile, must not be interpreted in a manner which conflicts with the provisions of the Personal Status Code on this subject, as set forth in chapters 23 and 61 of the Code. 20 September 1985 24 July 1980 Tunisia

The Government of the People's Democratic Republic of Yemen declares that it does not consider itself bound by article 29, paragraph 1, of the said Convention, relating to the settlement of disputes which may arise concerning the application or interpretation of the Convention. 30

May 1984 Yemen

Annex 2: Ratification of Arab States of ILO Conventions related to women

Annex 3: ILO Conventions ratified by Arab states

Ratified by	Title	Convention No.
Egypt, Libya, Saudi Arabia, Iraq, Kuwait, Lebanon, Djibouti, Comoros	Hours of Work (Industry) Convention, 1919	01
Algeria, Libya, Mauritania	Maternity Protection Convention (Revised), 1919	03
Algeria, Yemen, Oman, Lebanon, Kuwait, Jordan, UAE, Iraq, Qatar, Bahrain, Saudi Arabia, Tunisia, Sudan, Mauritania, Morocco, Libya, Egypt, Djibouti, Comoros, Somalia	Forced Labor Convention, 1930	29
Egypt, Morocco, Tunisia, Saudi Arabia, Lebanon, Syria, Djibouti, Comoros	Underground Work (Women) Convention, 1935	45
Algeria, Yemen, Syria, Lebanon, Kuwait, Jordan, UAE, Iraq, Qatar, Bahrain, Saudi Arabia, Tunisia, Sudan, Mauritania, Morocco, Libya, Egypt, Djibouti, Comoros	Labor Inspection Convention, 1947	81
Algeria, Syria, Lebanon, Kuwait, UAE, Bahrain, Saudi Arabia, Tunisia, Mauritania, Libya, Egypt, Djibouti, Comoros	Protocol to the Night Work (Women) Revised, 1948	89
Algeria, Yemen, Syria, Lebanon, Jordan, UAE, Iraq, Saudi Arabia, Tunisia, Mauritania, Morocco, Libya, Egypt, Djibouti, Comoros	Equal Remuneration Convention, 1951	100
Libya	Maternity Protection Convention (Revised), 1958	103
Algeria, Yemen, Oman, Lebanon, Kuwait, Jordan, UAE, Iraq, Qatar, Bahrain, Saudi Arabia, Tunisia, Mauritania, Morocco, Libya, Egypt, Djibouti, Comoros, Somalia	Abolition of Forced Labor Convention, 1958	105
Algeria, Yemen, Syria, Lebanon, Kuwait, Jordan, UAE, Qatar, Bahrain, Saudi Arabia, Tunisia, Sudan, Mauritania, Morocco, Libya, Egypt, Djibouti, Comoros, Somalia	Discrimination (Employment and Occupation Convention), 1958	111
Algeria, Yemen, Syria, Lebanon, Kuwait, Jordan, UAE, Iraq, Qatar, Bahrain, Saudi Arabia, Tunisia, Sudan, Mauritania, Morocco, Libya, Egypt, Djibouti, Comoros	Minimum Age Convention, 1983	138
-	Night Work Convention, 1990	171
-	Chemical Recommendation, 1990	177
Algeria, Yemen, Syria, Oman, Lebanon, Kuwait, Jordan, UAE, Iraq, Qatar, Bahrain, Saudi Arabia, Tunisia, Sudan, Mauritania, Morocco, Libya, Egypt, Djibouti, Comoros	Convention Against The Worst Forms of Child Labor, 1999	182
Morocco	Safety and Health in Mines Recommendation, 1995	183

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