

# CEDAW, Our Unrealized Dream

By  
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Draft case study paper prepared for “*Building Bridges - Engaging Civil Society from OIC countries and other Muslim communities with the Multilateral Sphere*”. Not to be quoted without the permission of the author.

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## **Abstract**

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## **Introduction**

All activist women in Iran dream of the day when the law will guarantee that the human rights of women are respected. The adoption of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) by the Iranian state will create precedence for a change of laws favoring the rights of women. However, at the present time, the existing civil and constitutional laws are in contradiction with CEDAW. The ratification of CEDAW is a dream which will bring with it a multiplicity of results, measures and changes such as the reinforcement of good governance principles, the realization of a dynamic society with a democratic spirit, increased women’s participation, reform in laws and regulations, etc.

The challenges and struggles of Iranian Muslim women to ensure women’s human rights, and especially the ratification of CEDAW by the government, are of the most valuable experiences from within Iranian civil society of the past two decades.

The government of Iran started adopting multilateral policies and advanced its foreign policies, especially through Muslim allies or other Southern countries after the sour experience of their unilateralist approach during the Iran-Iraq war (1980-1988). The G77, OPEC, and the OIC are samples of multilateral alliances used by the Iranian government to advance its foreign policies. Some examples of this positioning can be seen in policies that are set up in order to control oil prices, others, especially in Iran’s most recent international negotiations, on nuclear issues and in policies which attempt to bridge the digital gap between Northern and Southern countries.

However, the realization of human rights, especially women's human rights and the negative reaction of the Iranian government to CEDAW, has always been one of the government's blind spots. There is a red line that it has laid out preventing Iran from fully adopting such multilateral policies. An example is the EU-Iran constructive dialogue on human rights – although this process was brought to a standstill, it did succeed in stopping the practice of stoning in Iran.

Iran's resistance to ratifying CEDAW is an obvious instance of an embarrassing situation where the government is entangled in the trappings of multilateralism. Iran's civil society and especially women's rights activists have been through deep challenges when facing the government and its respective role regarding the ratification of this Convention.

### **Our actions**

Since the early days of the victory of the Revolution in 1979, and the emergence of political Islamism, it was clear that the discourse of increased patriarchal clichés through the misuse of religious beliefs was dominant in our society.

A wave of political Islamism went through all Muslim countries, from Malaysia and Indonesia to Pakistan, Afghanistan, Turkey and other Middle Eastern and North African countries. Despite the positive achievements of this movement in many areas, the lack of respect and protection of women's human rights is among the most disconcerting elements of these governments' records. Since that time, we have come to understand that we could stand against the fundamentalist policies of the state through solidarity with progressive women of other Muslim countries and by effective access to a multilateral space.

In the Iranian context, civil society has been the most effective apparatus in bringing women together to open up a multilateral front in order to advocate for the observance of women's human rights and, especially, the ratification of CEDAW during the recent decade.

The International Conference of Population and Development held in Cairo in 1994, was an opportunity for Iranian civil society to adopt "multilateralist" actions protesting against Iran's violations of the human rights of women and the non-ratification of CEDAW. Taking a stance against Islamist and Catholic fundamentalists by supporting certain paragraphs regarding reproductive health and abortion created a new alliance of modern Muslim women working in partnership with other progressive women's movement at a transnational level.

The 1995 World Conference on Women in Beijing was the next step. At that time, I was responsible for the coordination of the Iranian women's non-governmental organizations during the pre-conference preparation activities. We organized by bringing women from Muslim countries together, creating Muslim solidarity amongst them and adopting a strategy of cultural diversity with an

emphasis on the human rights of women, trying to push for certain paragraphs on issues related to these rights to be included in the Conference's outcome document. In the Beijing Plan of Action, various paragraphs reflect the elements of such a strategy, particularly in sections such as Women's Health, the Human Rights of Women, Women and the Media, and Women in Armed Conflicts. The political multilateral space existing in the Beijing negotiations put the Iranian government and other conservative Muslim countries in a position where they could not avoid certain obligations that were outlined in the final document. The Conference was the first event in which conservative states such as ones with Islamist and Catholic governments found out that they had no other way other than to approve the Beijing document even if they had certain reservations related to their own political interests.

It was in Beijing that women activists from Iran lobbied the Iranian delegation – while Iran was still under the influence of a multilateral setting– and made the Iranian state announce that it was ready to adopt CEDAW albeit with some reservations.

The government's position resulted in the resistance of certain extremist groups within Iran. The pressures of Islamist extremists on the moderates who were governing the country at that time led the moderates to push aside the ratification of CEDAW as a problematic challenge. Such a decision was taken while the Taliban, an Islamist extremist group, was still ruling in Afghanistan during the late 1990s.

The Iranian civil society's protests and the influence of progressive women in Muslim countries on world conferences and international fora caused, in part, some Western states, in particular the European Union, to consider the implementation of policies favoring human rights and especially those of women as "conditions" for undertaking multilateral negotiations with Iran and other conservative Islamist countries.

Although the pressures of Western states on the Islamic Republic of Iran to observe human rights brought about certain advances, Iranian civil society activists were not happy with the reaction of Western states to Iran's unilateral position regarding human rights; the confrontations arising between the Iran and the West only led to strengthening the political hegemony of Islamism on the one side and Western neo-conservatism on the other. It was at this point that we discovered that the best strategy for ensuring CEDAW's ratification was to aim at gaining support from nations, that is, the people, and not states. We particularly focused on creating a support base in Muslim nations, while simultaneously avoided being played in the above mentioned hegemonic relations. For this reason, since the late 1990s, we have tried to garner support from civil society groups in Muslim countries and have attempted to create a universal support base.

In order to gain such backing, we developed the following plan of action and espoused the following principles:

1. At the theoretical level, we wanted the adoption of a secular approach and the de-canonization and reform of the anti-women laws through initiating a dialogue between Muslim women of the region.
2. At the practical level, we wanted to :
  - i. Facilitate access to global civil society through attending international fora and by organizing alliances with the leftist groups and feminists from Southern countries.
  - ii. Ensure active participation in women's caucuses during the international events of recent years.
  - iii. Extensively advocate through the media and the internet as well as establish relations with human rights watchdogs, United Nations rapporteurs and independent human rights organizations such as Amnesty International, Human Rights Watch, etc.
  - iv. Help Iranian civil society in its negotiations with ambassadors from other countries regarding the status of women's human rights in Iran, particularly, in order to convince them to put pressure on the Iranian government to adopt CEDAW.
  - v. Lobby the government with an aim to influence senior management and other moderate religious leaders that ratification of CEDAW would be in the interests of women.
  - vi. Endeavour to obtain consultative status for civil society organizations to the Organization of Islamic Conferences.

The adoption of such new measures led to the participation of many active Iranian women in annual sessions of the Commission on Human Rights in Geneva, the Earth Summit, other preparatory meetings for world conferences such as the World Summit on the Information Society (WSIS) and World Summit on Sustainable Development (WSSD) as well as in regional Millennium Development Goals' workshops. These women also partook in civil society organized events, like the World Social Forum and meetings of the Association for Women's rights in Development (AWID), with an aim to raise awareness of the situation of women's human rights in Iran. In this way, the links of Iranian civil society with the multilateral sphere and global civil society became increasingly stronger. In these meetings, our views and comments on issues such as Islamic or American extremism, militarism and fundamentalism were considered. But, like before, our views and positions were not thoroughly reflected in the final documents or, in some cases, they were only vaguely alluded to.

In response to the recent political developments in Iran culminating with the success of Islamist extremists in taking parliament in 2003 and then the

whole government in 2005 as well as their arrests of some of activists, we augmented our level of activity , particularly in the area of guaranteeing women's rights and advocating for CEDAW, at the international level. However, on the one hand, the passivity of the moderates in the face of the restrictive actions of the government and, on the other hand, the aggravation of militarism in the region and nuclear negotiations caused for our demands to be ignored in multilateral processes.

Under these circumstances, I was appointed as a member of the steering committee of the Asia-Pacific NGO Forum for Beijing + 10 representing my country and certain neighboring countries. This membership resulted in the active participation of Iranians during the meeting. I was also among the key speakers during the Forum and my criticism of Iran's domestic situation, especially our problems in joining CEDAW and the influence of fundamentalism in Iran, angered Iranian security officials which led to my arrest upon my return to Iran. A group of activists from within the global women's movement started a campaign protesting my arrest, issued certain statements addressed to the Iranian government and collected thousands of signatures. These actions, on the one hand, strengthened the solidarity of women globally and, on the other hand, pressed the international community to formally disapprove of the Iranian government's actions.

Although our efforts to convince the Iranian government to adopt CEDAW came to a halt when the extremists took power in Iran, it is a fact that Iran's civil society has become more united after all its ups and downs.

### **Obstacles**

The main obstacles for a greater presence of Iranian women's non-governmental organizations in multilateral decision-making can be listed as follows:

- A lack of the application of necessary communication techniques by women's civil society groups and the lack of use of related knowledge and skills to influence the international multilateral sphere and produce documents that can help promote Iranian women's demands regarding CEDAW.
- A lack of Iranian women who profited from the experience of women from other Muslim countries in arguing that CEDAW is not against *Shari'a*.
- The existence of a domestic attitude that "all these conventions and events are plots of the Western countries, especially the Americans". Of course, such an attitude has become less prominent in the last ten years. The strengthening of civil society in Iran and the active role played by the United Nations' agencies have both resulted in the production of more detailed information about multilateral processes and events. Therefore, through strengthening "trust-building" processes, there is now a more positive attitude towards such international instruments and events.

- The distrustful attitude of Western organizations and governments that looks at anybody coming from Iran as not being independent but as a “government puppet”. Again this prejudice has lessened and time has proven that women’s non-governmental organizations are real entities which have been able to provide an accurate picture of the conditions in which the constituencies they represent live in.
- Civil society representation was not diverse and pluralistic. The internet has increasingly facilitated the access of various groups to the multilateral arena. Today, multilateral bodies have more access to Iran’s civil society and its various groups of activist women.
- The government expected that women participating in international events had to be supporters of the regime’s ideals. Even the government did not look at these women as advisors, but mostly considered them as propagandists of governmental policies in multilateral processes. Such bizarre expectations lessened during the eight years of Khatami’s reformist government (1997-2005).
- The lack of financial resources to sponsor the participation of Muslim women in international events. Fifteen years ago, non-governmental organizations for women had no access to regional or global networks, and therefore, they were not familiar with donors or related resources. Today, women’s non-governmental organizations have access to international networks and donors. Once again, the Internet has played a major role in creating such good relationships between women’s NGOs and their funders and partners.
- While Iranians and Arabs have a great deal in common, Iranians are not easily included in Islamic alliances, either because they are Shi’a Muslims and most of these alliances are organized by Sunni Muslims, or because they are oriented towards Arabic speakers and Iran is a Persian-speaking nation. However, Iranians have still managed to attend non-governmental meetings in the Middle East, especially during the past ten years. In certain instances, when an Arab bloc is organized, the concept of “Western Asia” loses its real meaning.

An important point regarding all the above obstacles is that the increased capacity of civil society in Iran and the gradual creation of a women’s movement have eliminated some of these obstacles.

### **Opportunities and Challenges for the Future**

Iran’s population is young and that is a unique opportunity for change. Young people have their own demands, and therefore, there are always possibilities of change within society.

The internet is a golden tool in the hands of female activists from Muslim countries allowing them to establish contacts and share views. Regional networks have to be considered an important opportunity. For instance, Women Living under Muslim Law (WLUML) and similar organizations in the region are assets and women activists have to take advantage of such organizations.

Iran is still pressured by certain multilateral bodies to respect and observe human rights values. That could be another opportunity for change inside the country.

However, the lack of an empowered network of women in the region is a challenge to be faced. Conservative states impede on the extensive participation of women in regional events and fora. At the same time however, it is a fact that women are becoming more and more empowered since they have gained experience through their participation in various events and have also been able to share these experiences. Capacity building centres have been active in empowering these women and thus can continue enabling them to effectively attend such events.

Another challenge is the activities of Islamist women who are working hard to codify an alternative to CEDAW and to create a convention for Islamic countries countering CEDAW by using the multilateral sphere and its instruments. Also, it should be added that there is a general mistrust of international conventions amongst Islamist women.

Overall it is important to remember that we still have more to learn. That is another challenge. Every time, our voice was heard, a dozen of voices opposing ours were also heard and, in many instances, we were not ready to respond. The lessons we learnt were not enough to help us continue our efforts and effectively argue our point of views.

### **Lessons Learned**

- We learned that the use of advocacy tools (sensitization, negotiation, dialogue, leverage, various information activities and especially lobbying to influence the opponents), making a stakeholders' analysis, the cooperation of various groups of women in advancing advocacy objectives and networking are important. We also learned that training should be an integral part of any social activity.
- The most important lesson during the years of my activities is the empowerment of civil society. The more empowered civil society is, the greater its participation in multilateral events. We learned that women need capacity building organizations. In Iran, there have been various active capacity building organizations that offer services and training to civil society groups. However, we found that they were not focused on women's needs, and only when there was a project at hand, they shifted to women's issues. Therefore, we started the Non-governmental Organization Training Center (NGOTC) to focus on women's demands.

NGOTC targets women's non-governmental organizations as well as individual women within local communities. We also thought that mixing the opportunity of "practice and an internship" with training would ensure that trainees practiced the skills they were taught. In this way, by learning through action, the experience ends in empowering the women involved.

- We learned that transnational network communications are effective in extending the support and the ability of civil society to influence outcome documents and the related multilateral processes.

### **General Advice**

The exchange of information, experiences or services between women in the region, their groups and organizations will contribute a great deal to the work that women do at the multilateral level. Such networks have already been formed but still need to become stronger and more diverse. Meanwhile, we should not forget women at the local level. They should also be empowered through outreach programmes and mobilized enough to have their voices heard at the international level. A transnational women's movement with a common goal and shared values at the regional level shapes when active and effective networks of women from different countries in the region and different walks of life can come together and connect.

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### **About the Author**

**Mahboubeh Abbasgholizadeh** is an Iranian woman born in 1958 in Khorramshahr, a city south west of Iran. She studied Arab Literature in Ein-al-Shams University in Cairo and then continued her studies in the religious seminary in Tehran. In 1987, she got her BA in theology from Tehran University. Then she continued her studies in communication sciences and got her masters from Allameh University in Tehran. It was after that she started to get my Ph.D. that was never finished due to several reasons; she now hopes that some day in near future she can have the opportunity to defend her thesis.

Some people consider her as an activist of women's movement in Iran, others regard her as an activist of women's rights who believes in realization of women's rights; certain people regard her as a journalist who uses advocacy tools to raise women's voices through media; others look at her like a researcher in women's issues, especially researcher in studies on religion and Islamic philosophy; some people love to put her on the list of NGO leaders in Iran however, there are other people who tend to name her as a publisher since some time ago she was involved in publishing books on women's issues. There are also people who categorize her as a trainer of empowerment of women and capacity building of NGOs. Finally, she considers herself to be "only a woman who loves her country and has been active during the past 28 years".