Preparation Paper/Study Guide:

Human Rights Council (HRC)

"Human Rights Violations in the Middle East"
Welcome letter from the Secretariat of VIMUN

Dear delegates,
It is our greatest privilege to congratulate you at embarking on this unforgettable journey. We are sure that you will shortly understand that participation in deliberations in the United Nations Human Rights Council at VIMUN 2019 was by far the best MUN choice you have ever made.

In order to maintain a particularly high level of debate, we kindly request you to prepare accordingly to the task. During our work in the committee we would like to discuss the human rights violations in the Middle East. We hope our committee will issue a resolution, which will cover all the points presented in the studying guide and may be an important step forward in combating aforementioned predicaments. So as to ensure that all the countries interests are represented, please endeavor to be active during the proceedings. If you want to contribute to devising solutions for the world’s most urgent issues, you will be in the right place at the right time.

For all the time we are closely at your side. Do not be afraid to ask for any kind of help. Should you have any inquires, feel free to contact us. We will be more than happy to answer your questions.

We cannot wait to see you!

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Chairs of the United Nations Human Rights Council
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Introduction

The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights. Drafted by representatives with different legal and cultural backgrounds from all regions of the world, the Declaration was proclaimed by the United Nations General Assembly in Paris on 10 December 1948 (General Assembly resolution 217 A) as a common standard of achievements for all peoples and all nations. It sets out, for the first time, fundamental human rights to be universally protected.

The United Nations Human Rights Council (UNHRC), which is composed of 47 states elected by the UN General Assembly, is an inter-governmental body within the UN system, and responsible for strengthening the promotion and protection of human rights around the globe. The council was established by the UN General Assembly on 15 March 2006, with the main purpose of addressing situations of human rights violations and making recommendations on them. The resolution establishing the UNHRC states that “members elected to the Council shall uphold the highest standards in the promotion and protection of human rights.”
History of Human Rights

The idea of certain inalienable rights pertaining to every human being has existed for centuries. Despite the inherent inequalities and the sometimes-exclusive notion of who is human and who is not, many ancient societies had developed traditions, philosophies and documents which deliberated the idea that everyone (or originally a certain group) is entitled to a number of rights, by virtue of their humanity. Thus, there exist several precursors of contemporary human rights documents. This is true for many distinct cultures and religions.

Western human rights proponents frequently point to the English Magna Carta of 1215, which codifies individual rights and liberties, mostly for noblemen. Nevertheless, subsequent documents including some aspects of human rights often referred to the Magna Carta, since theoretically it limited the power of the crown considerably and hence established a basis for a liberal theory of human rights. Further historical antecedents of contemporary human rights law asserting individual rights include the English Bill of Rights (1689), the Virginia Bill of Rights (1776), the French Declaration on the Rights of Man and Citizen (1789), the US Constitution (1789) and Bill of Rights (1791).

With the advent of the 20th century and two World Wars, and especially the invention of the totalitarian state as well as the dark chapter of the state-organized genocide by the National Socialists and its collaborators in Europe, the unequivocal need for a codification of human rights, first and foremost understood as individual rights, was once again put on the top of the agenda. Following the establishment of the United Nations one major goal was drafting some form of international legal document which should be of aid to prevent the future atrocities. The UN intended to provide a more comprehensive framework to stop state brutality.

On December 1948 the General Assembly unanimously passed the Universal Declaration of Human Rights with eight abstentions coming from Belarus, Czechoslovakia, Poland, the Soviet Union, Ukraine, Yugoslavia, Saudi Arabia and South Africa.

The Universal Declaration of Human Rights are commonly known as the International Bill of Human Rights.

Regional human rights declarations

Please consider that there are different regional declarations of human rights too:

1. European Convention of Human Rights
2. Cairo Declaration on Human Rights in Islam
3. Arab Charter on Human Rights
4. Bangkok Declaration on Human Rights
5. ASEAN Human Rights Declaration

These play important roles as they developed in special ways according to their very own regional background with different national and regional particularities and historical, cultural and religious backgrounds.
Looking back at 2014, the world interpreted its events, which turned into a catastrophe for millions of people in the Middle East and North Africa. This year was marked by an increase in the intensity of armed conflicts and horrendous human rights violations in Syria and Iraq; the main population of the Gaza Strip fell during the bloody military confrontation between Israel and Hamas, and Libya increasingly resembled a state that lost its ability to perform its basic functions and is on the verge of civil war.

The society in Yemen also remained deeply divided; The central authorities faced the activity of Shiite militants in the north, an active movement for secession in the south, and continuing resistance in the south-west.

The situation in Egypt gave little cause for optimism. In this country, the army general, who initiated the overthrow of the country's first president in 2013 after the mass unrest, took over the presidential post and raised a wave of repression directed not only against the Muslim Brotherhood movement and its allies, but also against political activists many other associations, as well as against media workers and human rights activists. During the repression, thousands of people were thrown into prison, hundreds were sentenced to death.

In addition, in 2014, the world witnessed fierce brutality from armed groups involved in the conflicts in Syria and Iraq; In this regard, it is necessary to emphasize the armies of the group, which calls itself “Islamic State” (IG, formerly ISIS). In Syria, soldiers of the IG and other armed groups controlled vast areas of the country, including a large part of the area in which the largest Syrian city of Aleppo is located, and imposed “punishments”, including public killings, cutting off limbs and corporal punishment for the actions they considered a departure from Islamic law.

Political tensions and other acute problems that persisted in the Middle East and North Africa in 2014 assumed an extreme character in countries where armed conflicts took place; On the whole, institutional and other flaws were noted in all parts of the region, which, on the one hand, contributed to exacerbating tensions, and on the other hand, did not allow its detente. These factors include the lack of tolerance among governments and a number of non-state armed groups to criticism and dissent, weak or completely absent legislative bodies that could deter and serve as a counterweight to the arbitrariness of the executive branch, the lack of independent judicial bodies and the subordination of the criminal justice system to the executive branch, and also the inability to ensure accountability, including with regard to compliance with the obligations of states under international law. Suppression of dissent Governments in the region continued to suppress dissent, restricting the right to free speech and other types of freedom of expression, including in social networks.

In Bahrain, laws criminalizing the expression of opinions that were considered offensive to the head of state, the government, members of the judiciary, or even to foreign leaders were applied to imprisoning critics. For example, a court sentenced a well-known activist to three years in prison for tearing a picture of the king.

Similar cases occurred in Egypt, Jordan, Morocco, Oman and Saudi Arabia. In Iran, critics were brought to trial on charges involving “mohherebeh” (“enmity against God”) - a crime punishable by death. In the UAE, the authorities continued to sentence reform advocates to lengthy prison sentences following unfair trials and introduced new anti-terrorism laws, the scope of which turned out to be so broad that they equated peaceful protests to acts of terrorism, as punishment for which application of the death penalty. The UAE and some other Gulf states, including Bahrain, Kuwait and Oman, used their power to punish those who...
criticized, by depriving them of their citizenship and all the rights it provided, turning them into stateless. Bahrain, Kuwait and the UAE used their power in a similar way throughout the year.

The power structures of Bahrain, Egypt and Yemen allowed excessive force, including the unjustified use of lethal weapons against demonstrators, which resulted in death and injury. Israeli soldiers and border police in the West Bank shot stones at Palestinians and other people who had thrown stones at them, protesting against the settlements, building the wall / fence and other forms of Israeli military occupation that had been going on for a long time.

In Libya, lawyer and human rights activist Salva Bugaigis, who was one of the leaders of the 2011 uprising, was shot dead by armed men who broke into her house in Benghazi shortly after, in an interview, she criticized influential groups that did not recognize the armed groups. Arbitrary arrests and detentions, prolonged pretrial detention, enforced disappearances

and unfair trials were commonplace throughout the region and served as a constant reminder of corruption in the criminal justice system, which the authorities used as a tool of repression. Thousands of people were imprisoned in Syria, Egypt, Iraq and Saudi Arabia, some of them without trial or investigation, and others following the results of unfair trials. Fewer detainees were detained in Bahrain, Iran, the United Arab Emirates and other countries, some as a result of enforced disappearances. The Israeli authorities held about 500 Palestinians in administrative order, without referring cases to court, while thousands of others were serving sentences in the territory of Israel. Palestinian authorities in both the West Bank and Gaza continued to detain political opponents.

Iran’s revolutionary courts continued to condemn people on vague accusations and issued harsh sentences, including death sentences. In Saudi Arabia, among those persecuted and sentenced to imprisonment were lawyers who defended the accused in national security cases and criticized the injustice of the courts. Saudi Arabia, Iran and Iraq remained the main state executioners of the region.

In Lebanon, the courts continued to impose the death penalty, but its authorities, like in Jordan, refrained from executing people, as did the authorities in Algeria, Morocco and Tunisia, which have long maintained a de facto moratorium on executions.

Latest news

22 July 2019. Israeli destruction of Palestinian homes in West Bank, ‘not compatible’ with international humanitarian law, UN says

Following “with sadness” the Israeli authorities’ destruction of homes in the Palestinian community of Sur Bahir, three top United Nations officials issued a statement on Monday underscoring that the move was “not compatible” with Israel’s “obligations under international humanitarian law”.

“Among other things, the destruction of private property in occupied territory is only permissible where rendered absolutely necessary for military operations, which is not applicable”, said Jamie McGoldrick, UN Humanitarian Coordinator, Gwyn Lewis, Director of West Bank Operations for the UN Relief and Works Agency for Palestine Refugees (UNRWA) and James Heenan, Head of the UN Human Rights Office in the area.
“Furthermore”, the statement continued, “it results in forced evictions, and contributes to the risk of forcible transfer facing many Palestinians in the West Bank, including East Jerusalem”.

The statement said that Israeli forces entered the community early on Monday morning, while it was still dark. The large-scale operation forced families out of their homes and demolished a number of residential buildings on the East Jerusalem side of the Barrier.

Against international law:
In 2004, the International Court of Justice (ICJ), ruled against constructing the Israeli Barrier and found that the parts running inside the West Bank, including East Jerusalem – including the Sur Bahir homes – “cannot be justified by military exigencies and thus violates Israel’s obligations under international law”, said the statement.

Moreover, in a resolution of 20 July 2004, the UN General Assembly, demanded that Israel comply with its legal obligations as stated in the ICJ’s advisory opinion.
“Had there been concrete action to ensure respect for these principles, and for international humanitarian and human rights law, generally, the people of Sur Bahir would not be experiencing the trauma they are today, and violations of their rights”, the statement concluded.

12 July 2019. The 41st session of the United Nations Human Rights Council ended on Friday with measures taken to address worrying developments in Eritrea, Syria and the Philippines, along with other issues of global concern, such as violence and discrimination against the LGBTI community.

Out of a total of 26 resolutions approved by the 47-Member body – six country-specific, 20 thematic texts – States tackled numerous thorny topics, including reports about the grave situation of human rights across Syria.

In a vote adopted by 26 votes to seven with 14 abstentions, the 11-page resolution highlighted that 11.7 million people in the war-torn country remain in need of “full, timely, immediate, unhindered and safe humanitarian assistance”.
Sponsored by several European Union countries, along with Kuwait, Qatar and Turkey, the text expressed concern for ongoing fighting in Syria’s north-west, adding that more than five million Syrians have “particularly acute” needs and over one million people remain in hard-to-reach areas “where freedom of movement, access to humanitarian aid and services remain very restricted”.

10 July 2019. UN experts voice ‘deep concern’ over Iran’s ‘consistent pattern’ of denying life-saving medical treatment to detainees

“Over several months we have communicated to the Iranian Government our deep concerns about the physical and mental integrity of detainees,” the experts said in a statement. “Despite Government assurances, we are frustrated to still receive reports of denial of medical treatment, including in life-threatening situations”.

The experts said the denial of medical treatment for human rights activist Arash Sadeghi, reportedly diagnosed with bone cancer, was particularly alarming. He has been denied care at Raja’iShahr Prison following an operation in September 2018.
Mr. Sadeghi was sentenced to 15 years’ imprisonment by a Revolutionary Court in August 2015 on charges of “assembly and collusion in the form of propaganda against the State”, “insulting the founder of the Islamic Republic of Iran” and “publishing lies in cyberspace”. “These no longer appear to be isolated incidents, but a consistent pattern” the UN experts continued, pointing to their grave concern for Ahmadreza Djalali, a Swedish-Iranian dual national medical doctor, sentenced to death on corruption charges for allegedly spying in Iran. Although medical tests indicate he may have cancer, Dr. Djalali has been denied access to appropriate healthcare in Evin Prison.

In the same prison, Austrian-Iranian dual national Kamran Ghaderi is serving a 10-year sentence for espionage and, despite a tumor in his leg, has also been denied appropriate medical treatment.

And denying medical treatment has not been limited to men. British-Iranian Nazanin Zaghari-Ratcliffe and activist Narges Mohammadi, have also continued to be denied appropriate healthcare.

Over several months we have communicated to the Iranian Government our deep concerns about the physical and mental integrity of detainees -- UN experts “We urge the Iranian Government to immediately and unconditionally provide all the concerned individuals access to the appropriate medical treatment and care, as well as to other detainees who are in need of appropriate healthcare,” the eight experts said.

International Obligations

Pakistan, Egypt and Iran signed the Universal Declaration of Human Rights (UDHR) in 1948. Saudi Arabia did not sign the declaration as it appealed that it did not reflect the religious and cultural framework of countries not situated in the west.

In August 1990, 45 member states of the OIC (Organization for Islamic Cooperation) signed the Cairo Declaration on Human Rights in Islam (CDHRI), which is based on Shari’a law. The signatories of the declaration in the middle east were Bahrain, United Arab Emirates, Iran, Iraq, Egypt, Qatar, Syria, Yemen, Kuwait, Jordan, Lebanon, Oman and Palestine. The Cairo Declaration of Human Rights in Islam is strongly aligned to the content of the United Nations Universal Declaration of Human Rights.

To monitor and submit proposals, a seven-member expert committee (Arab Human Rights Committee) is elected with secrecy of the ballot by state representatives for a two-year term, with each representative being allowed to serve a maximum of two terms in a row. It produces annual reports to the Arab League Council. State representatives send reports of compliance with human rights and the progress of establishments every three years (for the first time after one year), with additional information requested by the Committee. Palestine, Bahrain, Qatar, Kuwait, Jordan, Saudi Arabia, Iraq, Libya, Syria, Yemen, Lebanon, United Arab Emirates and Sudan ratified the Arab Charter of Human Rights.
Human Rights Violations in The Middle East

Journalists and human rights defenders faced targeted state repression in 2017, and in some countries of the Middle East and North Africa, freedom of expression on the Internet has been severely restricted. Civil society activists have been able to ward off even greater restrictions on freedom of expression in some cases. Both armed groups and governments violated the right to freedom of religion and belief. The struggle of women's rights movements has in some cases led to changes in laws that codify discrimination and spur violence against women. Nevertheless, women in many parts of the Middle East and North Africa continued to be systematically discriminated by law in everyday life and were not adequately protected from gender-based violence. In some countries, people have been arrested and prosecuted by the authorities for their actual or perceived sexual orientation. Consensual same-sex sexual relationships were often penalized, in several cases even threatened with death penalty. Trade unions have been severely restricted in some countries. Migrant workers remained exposed to exploitation and human rights abuses, although some countries introduced reforms that improved the protection of migrant workers. Armed conflicts had fatal consequences, especially for the besieged civilian population, and were marked by serious violations, such as the use of prohibited weapons, unlawful sieges and direct attacks on civilians and civilian infrastructure. Death sentences were imposed in a number of countries and there were hundreds of executions. There was still a climate of impunity for current and past crimes, despite some efforts to find justice and truth for the victims of human rights violations.

Rights to freedom of expression, association and assembly

Throughout the Middle East and North Africa, governments have been suppressing freedom of expression of the civil society both on and off the Internet. Above all, they prevented and punished reports of human rights violations and other criticisms of governments and their allies, often claiming that their actions were aimed at ensuring national security or the fight against corruption. The authorities also used disproportionate force to suppress protest movements that publicly expressed their opinions.

Repression in Egypt and Saudi Arabia

In some countries, the authorities took drastic actions against opponents of the government, joining a global series of authoritarian rulers seeking to assert their claims to power at international level. Egypt took unprecedented measures of severity against human rights defenders under President Abdel Fattah al-Sisi. The authorities shut down NGOs and froze their funds. A new law gave state agencies far-reaching powers to dissolve NGOs. Organizations that published research results without government approval had to expect a prison sentence of five years. The courts sentenced at least 15 journalists to prison in connection with their reporting, inter alia for publishing "false" information. The Egyptian authorities blocked more than 400 websites; this also affected independent newspapers and human rights organizations. To punish dissidents, they used detention for long periods of time - often for more than two years and in solitary confinement. After their release, activists often had to spend up to twelve hours a day as a "probationary period" at a local police station, which amounted to arbitrary deprivation of liberty.

In Saudi Arabia, Mohammed bin Salman was appointed crown prince in June 2017 as part of a political reorientation of the country. In the following months, the government took measures against freedom of expression even more drastically and arrested more than 20
prominent writers, activists, scholars as well as religious scholars within a single week in September. Human rights defenders had to explain themselves for their peaceful human rights work in front of a special criminal court, which had been created to deal with terrorist offenses. By the end of 2017, most Saudi Arabian human rights defenders were either in jail or implicated in unfair trials, while the royal family attempted to present Saudi Arabia as a more tolerant country to the world.

Attacks on journalists and human rights defenders

In other countries of the Middle East and North Africa, human rights activism, journalistic reporting and criticism of state institutions have led to prosecution and imprisonment. In some cases, governments and pro-government forces have acted against critics with smear campaigns.

In Iran, the authorities arrested numerous peaceful critics, including women's rights activists, minority and environmental activists, trade unionists, lawyers and people who demanded truth, justice and amends for mass executions in the 1980s.

In Bahrain, the government arbitrarily detained human rights defenders and government critics, restricted activists with travel bans or deprived them of citizenship. The independent newspaper al-Wasat and the political opposition association Wa'ad were banned and dissolved. The capital Manama continued to maintain abanto demonstrate and the authorities used disproportionate and unnecessary force to dissolve protests in other parts of the country.

In Morocco and Western Sahara, a number of journalists, bloggers and activists have been prosecuted and detained for criticizing public servants or for reporting human rights violations, corruption and protest actions. In order to stop the protests in the north of the country, security forces used mass arrests against the mostly peaceful demonstrators, including minors, and in some cases used excessive and unnecessary violence.

The Kuwaiti authorities detained several government critics and Internet activists on the basis of legal provisions that prohibit any comments that, in the authorities' eyes, offended the head of state or harmed relations with neighboring states.

In the Kurdistan region of Iraq, several journalists and bloggers have been subjectto arbitrary arrests, death threats and smear campaigns. The repression experienced intensity in the run-up to the independence referendum scheduled for September 2017 by the region's president.

In Yemen, the Houthi Armed Group arbitrarily arrested and detained critics, journalists and human rights defenders in Sana'a, the capital and other areas controlled by it.

The Israeli government denied entry to Israel and the occupied Palestinian territories to any supporters or staff of organizations that the authorities claimed had called for a boycott of Israel, Israeli settlements, or other Israeli institutions. The authorities targeted Palestinian and Israeli human rights organizations, harassed them, and launched campaigns to undermine their work. Security forces in the Gaza Strip and the West Bank bombarded demonstrating Palestinians with rubber-coated metal bullets and live ammunition. At least 20 people were killed, and thousands injured.
Suppression of activities on the Internet

Not only the government in Egypt tried to intensify the control over expression of opinions on the Internet. The state of Palestine also passed a law on cybercrime in July 2017. It allows the arbitrary detention of journalists, whistleblowers and others who criticize the authorities on the Internet and imposes up to 25 years 'imprisonment and forced labor on those who, in the authorities' view, are disrupting "public order", "national unity" or "social peace". Several Palestinian journalists and human rights defenders were already charged with this law in 2017.

Jordan maintained the blocking of websites and online media. In Oman, the government blocked the website of the newspaper Mowaten. The effects of the trials against the newspaper Azamn and some of its journalists were still present. The newspaper published two articles in 2016 about possible corruption in government and judiciary circles. In Iran, the judiciary tried to block the popular Internet news service Telegram but failed because of government resistance. Access to other popular social media sites such as Facebook, Twitter and YouTube remained blocked.

The political crisis in the Gulf

In June 2017, a Gulf political crisis erupted as Saudi Arabia, the United Arab Emirates, Bahrain and Egypt broke off their relations with Qatar. They accused the emirate of financing and housing terrorists and interfering in the internal affairs of neighboring states. The crisis not only paralyzed the Gulf Co-operation Council, but also resulted in an announcement of Bahrain, Saudi Arabia and the United Arab Emirates that they would treat any criticism of the measures taken and any sympathy for Qatar and its population as an offense, which would be punished with prison.

Freedom of religion and belief - Violations by armed groups

In several countries of the Middle East and North Africa, armed groups attacked religious minorities. The so-called Islamic State (IS) and other armed groups have killed and injured numerous civilians in Iraq and Syria by suicide bombings and other deadly attacks on Shiite shrines and public places in Shiite-populated neighborhoods. The United Nations said in January 2017 that nearly 2000 Yezidi women and minors were still in IS captivity in Iraq and Syria, enslaved, raped, beaten and otherwise tortured. In Egypt, the IS attacked attacks on two churches that killed at least 44 people in April 2017. In November, during Friday prayers, unidentified people bombarded and bombarded a mosque in the north of the Sinai Peninsula, killing more than 300 Sufi Muslims. Since 2011, there had been no attack with so many casualties on an armed group in Egypt.

In Yemen, members of the Bahá'í religious minority were faced with arbitrary arrest and detention by the Houthis and their allies.

Repression by governments

In Saudi Arabia, the Shiite minority experienced discrimination because of their beliefs. Their rights to religious freedom and access to justice were limited, their right to work and access to public services were also arbitrarily restricted. Shiite activists faced imprisonment, unfair trials, prison sentences, and in some cases even death penalty.
In Iran, the rights to freedom of religion and belief were systematically violated both by law and in everyday life. The Baha'i religious minority was again subject to widespread systematic attacks, including arbitrary detention, long prison sentences, torture and other mistreatments. The authorities ordered the closure of companies owned by Baha'i, confiscated assets from Baha'i, and continued to deny access to universities and employment in the public sector for followers of this denomination. Other religious minorities that were not recognized by the Constitution, such as Ahl-e Haq, have been systematically disadvantaged in education and the labor market and persecuted for exercising their faith. The right to change or renounce a religion continued to be violated in Iran. A number of people who converted to Christianity received prison terms ranging from ten to fifteen years.

Women's rights

In various parts of the region, women and girls were discriminated against by law and official policies and were not sufficiently protected from sexual and other forms of violence. Such discrimination is deeply rooted, and in all likelihood, in 2014 there has been no improvement. Three years after the women played an unprecedentedly significant role during the popular uprisings in the region in 2011, they seemed to be the most disappointed about the political changes that followed the unrest.

In Egypt, women participating in street protests in Tahrir Square in Cairo were attacked and sexually assaulted by groups of men.

It is noteworthy that Tunisia was an exception in women's rights issues. There, two police officers found guilty of rape were sentenced to long terms of imprisonment, and the government suspended the amendments to CEDAW and appointed an expert committee to draft a framework law to combat violence against women and girls. In Saudi Arabia, the authorities arrested women and threatened them if they did not comply with the official ban on driving a car. In both countries, the authorities also monitored the observance by women of strict rules regarding clothing and behavior, and retained laws that punished adultery.

In Qatar, a bill was approved granting the children of Qatari women married to non-Qatari men a permanent right of residence. However, women continued to face discrimination because they were still unable to pass on their nationality to their children.

In Saudi Arabia, a royal decree was passed, according to which women are allowed to drive since June 2018. Another royal decree, issued in April 2017, ordered government agencies to insist on the consent of a male guardian when women want to access government services only if required by law. The provisions according to which women require the explicit consent of a male guardian when traveling abroad, applying for a passport or getting married, however, remained in force.

Despite some encouraging developments, women in many countries of the Middle East and North Africa have still been penalized by law and in everyday life, especially when it comes to marriage and divorce, inheritance matters and custody of children. Women continue to be inadequately protected against sexual and other gender-based violence as well as forced to early marriage.