Coalition for Sexual and Bodily Rights in Muslim Societies (CSBR)

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CSBR E-NEWS Sexuality in Muslim Societies

BACKLASH IN THE FIGHT AGAINST FGM IN THE SUDAN

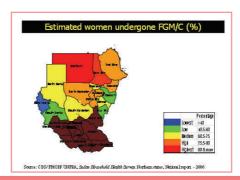
Women's and children's rights activists in the Sudan protest the annulment of an article that prohibits FGM/C.

By Nafisa Bedri, Ahfad University for Women, the Sudan

During its periodical meeting held on February 6, the Sudanese Cabinet approved the "Child Bill, 2009" which is a legislation on the rights of the child including the provision of health and social care and the regulation of child labor. The bill has been met with strong criticism because it annuls the Article 13 which used to prohibit female genital mutilation/cutting (FGM/C) as a harmful practice and tradition affecting the health of children. Activists working in field of women and children's rights consider the step taken by the Cabinet as a 'retreat' and violation of all international laws and charters.

Despite efforts to eliminate the practice of FGM/C by official and voluntary groups, the rates of practice are still high in the Sudan. There has been a relative drop from 90% to 69% in 2006.

The National Council for Child Welfare (NCCW) with the support of UNICEF, took the initiative to establish a program to fight the phenomenon through an official mechanism in which children's affairs, including their well-being and protection, can be coordinated. In 2008, the National Strategy on Elimination of Female Mutilation (2008-2018) was issued with the slogan: "To abandon FGM/C within a generation". Cont. page 2



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WHAT'S IN A SIGNATURE?

Excerpts from an interview with Sussan Tahmasebi of the "One Million Signatures Campaign" seeking to change the discriminatory laws in Iran.

By Irazca Geray, WWHR - New Ways, Turkey

Depends, of course, on the text you are about to sign and the laws you are subject to. It may mean the payment of your utility bill, or you could be signing your life away. Let's say you are an Iranian woman signing your marriage contract. It means you will become a second class citizen who does not have the right to work without her husband's consent, nor the right to divorce. In Iran, the country where women are present in all aspects of life, there is a paradox between women's status socially and women's status in the law, says **Sussan**

Tahmasebi, a founding member of the **One Million Signatures Campaign**. Today in Iran you can also join the movement for equality by signing a petition and claim your right to life, there sure is a lot in a signature.

In 2005 women of Iran staged a successful protest in front of the Tehran University demanding equal rights. The day was declared Day of Solidarity for Iranian Women. On its anniversary they tried to hold another peaceful

demonstration but were dispersed by security forces, 70 people were arrested. Women decided to change course and a few months later launched the One Million Signature Campaign that aims to bring the laws in line with international human rights standards.

The campaign that was started with 54 people on a street is continuing in buses, metros, shopping malls, homes, streets and mountain tops in 15 different provinces of Iran. Basic tools of the campaign are the website (www.campaign4equality.info) and the little pamphlets. Face to face approach of the campaign is not only a vital method but also its very essence. Sussan explains, "You go and engage whoever is out there. It's very exciting in that sense. Iranian women's rights activists always talked about having a public presence. The campaign is the first and only such major effort." We learn that people started organizing on the internet to go for group signature collection drives. "In the mountains north of Tehran they collected 600 signatures in one day, which is a lot." After a few visits to one site, campaigners start to be greeted by people who say "I have been looking, waiting for you!"

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BACKLASH IN THE FIGHT AGAINST FGM IN THE SUDAN

By Nafisa Bedri, Ahfad University for Women, the Sudan

Continued from page 1

A number of women leaders agree that the removal of Article 13 from the Child Bill violates numerous laws and policies such as Article 32 of the Constitution, which reads "the state shall fight harmful habits and traditions which weaken the dignity and position of women". The 2007 National Policy for Empowerment of Women, signed by the President of the Republic himself, considers the elimination of FGM as one of its essential objectives. Annulment of Article 13 also violates Medical Council resolutions and recommendations, and contradicts the resolution of the National Assembly No. 29 which reads "impose necessary legislations that prevent FGM and the need to fight all harmful habits and mobilize all related bodies to support these efforts."

A number of activists in the fields of women and children's rights also state that this attempt is against regional references such the African Children's Charter; the 2005 Dakar Declaration on the elimination of female circumcision; the Rabat Declaration on children's affairs in the Muslim world issued by the Conference of Ministers; and the Declaration of Khartoum issued by the 2nd Conference of Ministers held in February, 2009. Paragraph 25 of this Declaration, which was approved and signed by Sudanese officials, clearly states that necessary procedures shall be implemented to eliminate all forms of discrimination against girls, including harmful traditional practices such as the wedding of children and FGM.

There is a unanimous agreement among lawmakers that legislations and laws that criminalize the practice of FGM shall be imposed. The NCCW and partners have prepared a law that criminalizes and prohibits FGM, which was approved by a number of relevant ministries and is ready for endorsement. Also, educational programs and projects were designed to introduce the issue of FGM in the syllabus of both primary and high schools and to train teachers.

Activists and organizations working to eliminate FGM are demanding:

- 1. Inclusion of Article 13 in the Child Bill and if necessary in other laws and regulations.
- 2. Enforcement of the national strategy for the eradication of FGM.
- 3. State to remain committed to adhere to the view of its specialized reference in the medical and health sectors including the Ministry of Health, Sudanese Medical Council, Gynecology and Obstetrics, General Pediatrics, and Urology Specialists.

To sign the petition: www.sudaneseonline.com/petitions/

CSBR WELCOMES TWO NEW MEMBERS: MEEM AND IPP

Two organizations from Lebanon and Indonesia have joined the CSBR, openining new and exciting venues of networking and solidarity and further strengthening the Coalition.

Founded in August 2007 in Lebanon, **Meem** is a support group of around 300 lesbian, bisexual, queer and questioning women and transgender persons in Lebanon. Its support also extends to many individuals in the Arab world. Meem's services include a volunteer-run Safe House open to members only, operating 7 days a week, in addition to counseling and therapy services, workshops, discussion groups, research, legal aid,

Working under difficult homophobic and sexist conditions, members of Meem quickly realized the connections between different forms of oppression

and other forms of empowerment.

that affect queer women in the Arab world. Meem's coordinator, Nadine, attended CSBR Sexuality Institute in Malaysia last August and described it as a very crucial eye-opener. "After CSBR's training, I was able to see more clearly the place of lesbian rights within the larger sexual rights framework," says Nadine. "The work of CSBR in networking different activists working on sexual rights in the Middle East and other parts of Asia has provided us with instrumental support, allies, information, and access to resources." Last summer Meem held a Gender and Sexuality Training Camp in Beirut for 25 Meem members to develop a better understanding of gender theory in the group. Members are currently working on a similar training in Arabic to enable more members' participation.



Institut Pelangi Perempuan (Women Rainbow Institute or IPP)

is an NGO with a mission to empower young lesbians at the

individual level in the urban areas of Indonesia. Our main empowerment strategies are the *edufuntainment* (education, fun, and entertainment) and promotion of "Cool Politics" and "Politics of Fun". We have regular film screenings followed by discussions and games. We also publish a four-monthly magazine as compact discs (CD). The CD format is to give readers more privacy and sense of security in accessing the information. It also costs much less than printed media!

One activity that turned out to be a great empowerment tool is our badminton sport club. After two years, the sport club has proven itself as an empowering space for young urban lesbians. We just started new program "Lez School" a short course of Gender, Sexuality, Feminism and LGBT rights. We conduct it with youth friendly and fun media such as film, music, trips, games.

Being a member of CSBR is giving an opportunity for IPP to be involved in a network of organizations which struggle for sexual rights in countries with Muslim societies. CSBR has been very useful for sharing strategies and information from different perspectives of different country backgrounds. As a new organization we need to learn more about the issue of sexuality globally, and CSBR is a coalition that can give this learning space for Institut Pelangi Perempuan.

Kamilia Manaf, IPP, Indonesia

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WHAT'S IN A SIGNATURE?

A "national security threat" that transforms the State

They got signatures from colleagues of parliamentarians who were strictly opposed to the campaign. A woman in hicab signed the petition while her husband looked on and told the campaigner "My



husband can't sign because he is a judge in charge of a case against your friends. As Tahmasebi says the campaign has supporters in the homes of the people who are trying to stop the campaign.

Campaign website has been filtered 20 times while activists continue to be arrested. Why

would state consider women collecting signatures for law change a security threat? Sussan thinks it's partly because women staged two major protests. "Also it's resistance to change. You see it everywhere, when you advocate for change on behalf of women, the whole system resists." Yet they have not been branded as illegal, or accused of talking against Islam. Sussan says, "10 years ago perhaps if you talked so openly about changing some of these laws first thing they would say is that you're speaking against Islam. This is a positive development."

Taking the women's rights discourse out of the closet

Campaigners have also received recognition from the judiciary. "In the acquittal of 2 campaign members, judge ruled that collecting signatures in support of a petition to change laws is similar to collecting signatures to have your street paved with asphalt. For us that's a huge victory." Campaign's transformative impact is evidenced in the recent rebuke of the so-called Family Support Act, that attempted to narrow the limitations on polygamy whereby consent of the wife would no longer be a precondition and the only requirements would be the man's financial means and court's consent. "Women's groups from all sectors organized against this Act. It was a victory as the parliament stepped back on something they were very keen on and went back to the law that sets a number of conditions that are not easy to meet," says Sussan.

Diyeh (blood money) is another realm in which Sussan says they've had a minor achievement. "Say you and your brother were in a car accident; price of your insurance and medical costs are the same, but the compensation you get will be half of your brother's." Law is not changed but insurance companies were given a directive to pay equal compensation to men and women.

Sussan says that their most important achievement has been to take the discourse of women's rights out of the closet, making it a very loud one. "People were afraid to talk or write about it, it's been behind closed doors. The campaign really broke that. Now everybody is talking about it."

Backlashes robbing women of their mobility

Nevertheless, Sussan says they have also seen a lot of policies infringing upon women's gains and accomplishments. "In Iran you always have the discourse of equity versus equality. Equity differentiates between men and women, saying they have different roles, responsibilities and rights. In the last 4 years, our policies are very much geared towards equity as opposed to equality."

Continued from page 1 Sussan explains that recent policy measures like gender quotas in education and localization of female students to universities in their hometowns work to push women back into the homes.

> Rising global conservatism coupled with the rhetoric of Iran being the "axis of evil" increased the pressure on civil society. "Attempts to punish our government brought a backlash against us, now they could say you're doing what other governments want you to. Threat of war led to a security oriented environment where it becomes very hard to object to anything. Also the increasing isolation of our government means that we too are isolated." Discourse of morality used to violate women's human rights is on the rise in Iran as well. Sussan says women were always seen as the gatekeepers of morality, but the pressure is increasing. "We have the reemergence of morality police. It started under the guise of the social safety program, the most visible aspect of which is the controlling of people's cloths. It's arbitrary and is very constraining for women." Despite the increased conservatism of the society Sussan says especially young women maintain their presence on the street.

Campaigning behind bars

To date 47 campaign activists have been arrested or detained for collecting signatures, holding meetings. Against all odds, prisons provided the activists both with new ground to spread the word and an experience of further training. "We learned from female inmates, many of whom are the true and most extreme victims of discriminatory laws. Like the women who were married off at an



early age, couldn't get divorced, were afraid to loose custody of the kids and killed the husband. The women knew of us, they said you are the ones changing laws, and they made it easier for us in there." Activists worked to improve the prison conditions and also succeeded in getting a number of women on death roll to be released. "Now we are less

afraid of going to prison, the huge fear of the unknown, the mystery is taken out of it."

Campaign doesn't accept funding from any organization or government. All funding comes from membership dues or contributions. "Trust is very important when you engage with public. They all ask, who are you working for. It's very empowering to say we are working for ourselves and we don't get money from anybody."

A campaign with no end

The campaign activists are moving towards coalition building across different ideologies. "It's a difficult task; to put aside political beliefs and ideologies to work together on women's issues." The campaign has religious and conservative women, secular, political and nonpolitical women. "But we don't have everyone," says Sussan, "It's a huge first step but we have a long way to go." Across boundaries of ideologies and even countries, the campaign keeps growing and there does not seem to be an end to it. There is a circulation of activists, as young ones get trained new leaders are being empowered. "I as Sussan may stop but another person will continue. As more people are picking it up who can decide to end the campaign?"

For the full interview please see: www.wwhr.org

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NEW DEBATE: WOMEN'S HEALTH CARE PROVIDERS IN THE MIDDLE EAST DISCUSS ABORTION

By Faysal El-Kak, AUB, Lebanon

A very early debate or exposure is being initiated on the issue of abortion among women's health care providers in the Arab region, namely the Obstetrician/Gynecologists. This attempt has been propelled by **CSBR member Dr Faysal El-Kak**, who chairs the scientific committees of the Lebanese Society of Ob/Gyn and of the Arab Federation of Ob/Gyn Societies. Two major meetings were held in Lebanon and Jordan in 2008. The Beirut meeting hosted close to 200 gynecologists from various areas of Lebanon, and officials from the health ministry. Discussion focused on the current situation of abortion in Lebanon and its relation to maternal morbidity, in addition to complex issues of women's rights within the socio-cultural setting. Despite all the varied comments and views, there was a consensus on the urgent need to re-look at the existing laws and policies in view of changing medical and socio-cultural factors.

As a follow up to the initiative, the second meeting was held in Amman, Jordan during the 42^{nd} Arab Medical Congress. Dr El-Kak addressed around 150 physicians from different Arab countries on the status of abortion in various Arab countries and the related morbidity and mortality. Different laws exist in different countries irrespective and independent of the religious understanding. Again, discussions came to push for the need to go back to each professional gynecologic society in the respective countries and look into the existing laws and revise them in view of the medical advancements that can tell a lot about fetal health, and the SES that determines couples' plans on family size and birth spacing.

A third meeting will be held in May 2009 in the Faculty of Health Sciences at the American University of Beirut, on controversies around abortion, as part of public health debates. The ethical, legal, medical and human rights perspectives will be debated throughout the meeting. These initiatives aim to shed light on the important and controversial issue of abortion and create an understanding among women's health care providers, taking into consideration the various medical, social, and legal aspects of the issue, as well as the medical and social consequences for women.

MUSAWAH: A GLOBAL MOVEMENT FOR EQUALITY AND JUSTICE IN THE MUSLIM FAMILY

Musawah, a global movement for equality and justice in the Muslim family, bringing together NGOs, activists, scholars, practitioners, policy makers and grassroots women and men from around the world, was initiated by **CSBR member Sisters in Islam (SIS)** in 2007.

Bringing together an international planning committee with members from 11 countries, through a series of consultations and development of resource materials, a framework of action was devised for Muslim family law reform.



Through 13-17 February 2009, Musawah held a Global Meeting in Kuala Lumpur, Malaysia. Approximately 250 activists, scholars, academics, legal practitioners and policy makers from 47 countries attended the meeting.

The meeting program, focusing on why and how equality and justice in the family are necessary and possible, also included the launch of the framework for action. For more information on Musawah, visit the website at:

www.musawah.org/about.asp

FLOURISHING NEW EFFORTS TO PROMOTE SEXUAL RIGHTS IN BANGLADESH

By Sabina Faiz Rashid, BRAC University, Bangladesh

CSBR member James P Grant School of Public Health at BRAC University is preparing to organize two local level workshops on Sexuality and Rights. The first one will be held with media professionals (journalists and writers) and the second one with academics, researchers, students, high school teachers, and health care professionals. The workshops are scheduled to take place in spring 2009. A strong linkage with international networks such as CSBR and IDS has been the primary impetus behind a continued commitment of the School for advocacy and awareness building on sexuality issues.

At the training, we will share findings from our pilot study on Sexuality and Rights that reveals an understanding of garment workers, students, minority sexualities. We will also be drawing on the materials and knowledge generated from CSBR Sexuality Institute and the CREA Sexual Rights Training.

A first in Bangladesh

Another promising initiative took place in February 2009, when coresearchers of the pilot study, attended a workshop on Sexual Diversity and Coalition Building organized by Boys of Bangladesh – an online platform for Bangladeshi gay men. The workshop was attended by representatives from gay, lesbian, bisexual, MSM, and transgender communities, researchers, media personnel and rights activists. The purpose of the workshop was to set priorities for raising voice from a common platform on the issues of visibility and rights of people belonging to alternative sexualities. The School of Public Health offered training and advocacy support to this newly formed coalition. This was the first ever workshop of this kind to be held in Bangladesh where the LGBT community itself took the initiative to form a coalition.

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TRANSFORMING THE PHILIPPINES SHARI'A COURTS

CSBR member PLRC continues to work for the appointment of more women judges in the Shari'a courts.

By Isabelita Solamo-Antonio, PLRC, the Phillipines

The Philippines is one of the few countries in the world that have women Shari'a judges. Our women's center, the PILIPINA Legal Resources Center (PLRC) worked with the National Network for Muslim Women's Rights composed of Muslim women leaders in proposing changes to the current Code of Muslim Personal Laws



(CMPL). The CMPL is a "man made law" by virtue of a Presidential Decree issued in 1977 by the former president Marcos before the gender equality provision was enshrined in our 1987 Constitution. A proposal of "Revised Code of Muslim Personal Laws" was carefully shaped and nurtured through

the years within a process which included, among others, organizing a critical mass of advocates committed to work for the passage of the proposed changes to the Code.*

The process started with a research in 1988 by the PILIPINA Legal Resources Center (PLRC) on the aspirations of Muslim women in Mindanao. The next step was legal literacy work carried on for many years in order to popularize the Code and to discuss the provisions in the context of gender issues. In 1998, women's political party Abanse! Pinay** won a seat in Congress and our party's representative became the Chair of the Committee on Women in the House of Representatives. PLRC regarded this as a methodological and political chance to work for legal reform. So, our center started to facilitate the process of reviewing and proposing changes to some provisions of the Code of Muslim Personal Laws.

At the same time, as the legislative mill is very slow, PLRC embarked on a Shari'a Court Watch project. The Shari'a courts, which are part of the Philippine judicial system, are special courts for Muslims in charge of the administration and dispensation of justice and are subject to the administrative jurisdiction of the Supreme Court.

The Shari'a Court Watch project sought to document positive practices and gaps in the Shari'a courts' administration of justice (e.g., people's access to the courts, efficiency and affectivity, impact of the courts in the local community, etc). The Shari'a judges were open to share their work and welcomed the chance to describe their courts and to improve the system. The study found out that many members of Muslim communities seek the services of Shari'a courts for the settlement of their cases. Given the scope of these cases ranging from divorce to violence, inheritance to custody, in terms of women's rights and sexual rights they remain crucial domains of implementation.

Meanwhile, there are courts that do not have judges which has implications on citizens' access to justice. Exclusion of large communities from the justice system structures is tantamount to a source of deprivation. And as determined by a human development report, perceived relative deprivation is among the causes of armed conflict.*** Our center facilitated an engagement by civil society with the government bureaucracy in charge of recruiting judges to the courts, in order to fill up the vacancies so that judges traveling to many courts located far from each other can give full attention to the community of a particular court.

The dialogue with the Department of Justice resulted in the creation of a government search committee to fill up the vacancies in the Shari'a courts. True enough, a total of sixteen new judges were recently appointed to the courts. This is an important achievement of our project. Shortly after, in cooperation with the National Commission on the Role of Filipino Women (NCRFW) two women judges were appointed to the Shari'a courts.

Connecting the community with the legal system

Continuing legal literacy work on the Code of Muslim Personal Laws has been beneficial for various groups. An example of such groups are *barangay* (district) officials in Muslim communities who found out during the training that they were usurping the function of courts as to cases of couples seeking divorce through the barangay. In the discussions, community women realized that a decree of divorce by the Shari'a courts is proof of divorce and that a woman who remarries without proof of divorce is liable for adultery (*zina*).

This project has empirically tested a methodology on how civil society can be harnessed to participate in the monitoring of courts towards a judicial reform agenda. Through the project, PLRC has connected the community with the formal court structure. Also, the plight of the Shari'a courts was communicated to the public through mainstream media and broadcast communication. One of our important findings is that in making justice accessible to women, it is important to study what kind of courts and orientation for judges we want our women to have access to. This gave birth to a new level of engagement with the courts in order to make sure that more women are recruited as judges in an almost all male Shari'a court system and to make sure that, henceforth, all jurisprudence are in keeping with the gender equality provision of the Philippine constitution.

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Endnotes

- * The advocacy of the network for the passage of the proposed law continues. Also, local advocacy activities at the local government units and at the level of the Autonomous Region in Muslim Mindanao have started.
- ** Abanse! Pinay is a women's political party with the goal of advancing the women's agenda in Congress through the election of three women sectoral representatives under the party-list system.
- *** Human Development Network & the United Nations Development Programme (UNDP) Phil. Human Development Report 2005.

2ND CSBR SEXUALITY INSTITUTE 8-16 AUGUST 2009, LEBANON

Deadline for applications: May 10, 2009

CSBR is pleased to announce the 2^{nd} CSBR Sexuality Institute to be held between August 8—16, 2009 at the American University of Beirut (AUB) Faculty of Health Sciences in Lebanon.



The Institute will bring together leading NGO representatives, researchers, practitioners and policymakers for a holistic interdisciplinary program combining history, theory, research and politics of sexuality with applications of advocacy and fieldwork. The

CSBR Sexuality Institute is designed as a comprehensive curriculum on sexuality in Muslim societies with an in depth discussion on the research on the linkages between sexual and reproductive health and rights.

Reflecting on the 1st Institute

"I would summarize the experience I had at the CSBR Institute in one word: LIBERATING." (Mahrukh Mouhiddin, Bangladesh)

"The Institute gave me the basic paradigm to see and analyze how we take position in order to challenge the repression." (Dwi Ayu, Indonesia)

"In a nutshell I understood sexuality was about the right to pleasure, self determination and right to bodily integrity." (Sai Jothi, Malaysia)

Application form available at:

www.wwhr.org/news.php?detay=39

INTERNATIONAL CONFERENCES & TRAININGS ON SEXUALITY

Sexuality, Gender and Rights Institute

The Sexuality, Gender and Rights Institute organized by CREA will be held between June 13-20, 2009 in Istanbul, Turkey.

For more information: http://www.creaworld.org

The ICPD at 15 Global NGO Forum

The Global NGO Forum to mark the 15th anniversary of ICPD will be held in Berlin, Germany on September 2-4, 2009.

For more information: http://ngosforicpdat15.org/#top

5th APCRSHR

The Fifth Asia Pacific Conference on Reproductive and Sexual Health and Rights will be held in Beijing, China between October 17-20. Deadline for abstract submission is June 30, 2009.

For more information: http://www.5apcrshr.org/

13th Summer Institute on Sexuality, Culture and Society

The annual institute organized by the Graduate School of Social Sciences, Universiteit van Amsterdam will be held between July 5 - July 30th, 2009. For more information:

http://www.ishss.uva.nl/SummerInstitute/

CSBR MEMBERS ATFD & HELEM RECEIVE PRESTIGIOUS INTERNATIONAL AWARDS

CSBR members continue to be recognized on international platforms for their groundbreaking work. This time it is Helem from Lebanon and ATFD from Tunisia who have received international awards.

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www.wwhr.org



Each year, on the occasion of the celebration of the Universal Declaration of Human Rights, the French Republic awards the Human Rights Prize. This year, recipient of the prize is the Tunisian Association of Democratic Women (ATFD). We congratulate all the members of ATFD for their continued courageous and inspiring work.

The International Gay and Lesbian Human Rights Commission (IGLHRC) awarded its 2009 Felipa de Souza Award to Helem. IGLHRC's annual Felipa Award recognizes the courage and effectiveness of groups or leaders dedicated to improving the human

rights of lesbian, gay, bisexual, transgender, intersex (LGBTI) and other individuals stigmatized and abused because of their sexuality or HIV status. As the first organization in the Arab world and the Middle East to set up a gay and lesbian community center, Helem's work has consistently broken new ground in a country that still criminalizes homosexuality and where violence and abuse are persistent problems. We wholeheartedly applaud Helem and all their members for their groundbreaking efforts.

