

Forum: SDG 5

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TOPIC 1: The question of gender equality laws including domestic violence

[Please consult the SDG5 Topic LibGuide for guidance on your research](#)

I. Introduction to the Topic

Laws stand as the framework on which nations operate and dedicate resources on making sure it is respected. It is for this exact nature of laws that make them imperative on solving a challenge that directly affects half of the global population and all nations: Gender equality. Gender equality laws refer to legal frameworks designed to protect and promote the rights of women and girls, and ensure equal opportunities for all people, regardless of their gender. There are gender equality laws regarding all of the legislative spectrum and societal components such as social, financial, health, political and criminal persecution. As emphasised in the topic, domestic violence is a key focus and target of gender equality laws. The question on what legal basis a prosecution and subsequent moderation and administration of justice should be done to achieve a correct verdict is also a question that is crucial in any discussion regarding gender equality laws.

II. Definition of Key Terms & Concepts

Gender equality: refers to the state of being equal in rights, opportunities, and outcomes, regardless of gender. Gender equality also stands as a human right and has a Sustainable Development Goal (SDGs) dedicated to it in the form of SDG 5.

Domestic abuse: in the context of the question, refers to a pattern of behaviour in any relationship that is used to gain or maintain power and control over an intimate partner. Out of Gender-Based Crimes, many are identified as a type of Domestic abuse.

Universal Declaration of Human Rights (UDHR): is an international document and a central milestone in human rights. The document enshrines the rights and freedoms of all human beings, and was adopted by the United Nations General Assembly in 1948. Moreover, the UNDR acts as the main document to which every nation must abide by its principles through the implementation of laws. In the context of “the question of gender equality laws including domestic violence”, the UNDR stands as the critical framework to which gender equality laws are created and implemented internationally.

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW): is an international legal instrument that requires countries to eliminate discrimination against women and girls in all areas and promotes women’s and girls’ equal rights. This convention is critical when considering ‘the question of gender equality laws including domestic violence’ as it is one of few international treaties directly addressing and defining acts of harms against all women regardless of age, nationality, race, and identity. Therefore, CEDAW, alongside the UDHR, provides a comprehensive framework to guide all

rights-based action for gender equality, including the prevention and elimination of violence against women and girls.

Gender-Based Crimes (GBV): is violence directed against a person for the reason of gender. GBVs are considered a serious violation of human rights and a life-threatening issue. GBVs include physical, sexual and psychological crimes. It is these crimes which gender equality laws, if created and implemented, aim to prevent.

III. Key Stakeholders

OHCHR: As the principal UN entity for overseeing the progression of gender equality globally, the OHCHR stands as one of the most crucial stakeholders in the question of gender equality laws.

National Judicial Bodies: As gender equality laws impact all aspects of a nation, National Judicial Bodies are key stakeholders as well as the stakeholders individually affected the greatest amongst stakeholders.

Religious States: Religious States are a key stakeholder in this question due to their complex nature in the question of the implementation of gender equality laws. To elaborate, the legal systems of these states are often intertwined with religious doctrines, with religious authorities play a pivotal role in shaping legislation related to family, marriage, and personal status, unlike usual Non-religious states, where doctrines are shaped according to international documents such as CEDAW or , which are not influenced by religious aspects. Their interpretations of religious teachings significantly impact gender roles and rights within the legal framework. The societal norms and practices shaped by religious beliefs can either bolster or impede efforts to establish more equitable gender laws.

Issues in Africa: A compiled UN report found at least 71 countries with severe domestic violence against women to be prevalent in Ethiopia, Nigeria, and Egypt with 80% of women surveyed to have answered, beatings were common and often justified.

IV. Key Issues including Background Information

Economic inequality: A main issue addressed by numerous gender equality laws is the economic inequality between women and men. While a single issue, gender equality laws of multiple countries have approached the issue in diverse, sometimes borderline polarising, perspectives.

Access to Education: Another critical issue where gender equality laws are employed to solve

Issues in Asia: Specifically in Turkey, 42% of women were surveyed to have suffered from physical or sexual violence. Women from Muslim majority cultures as well as religious beliefs have caused extra pressure to submit to domestic violence, as religious laws are abused to exert men's control. Domestic violence in India is also widespread, often related to the custom of dowry, as well as honour killing. This issue can also be found primarily in Pakistan, Jordan, Iraq, Israel, etc.

Measurements from European nations and North America: The council of Europe has completed a study on domestic violence against women in their lifetimes, the EU have won a European Court of Human Rights case against Baltic States, where domestic violence is a severe problem in. The issue is a part of

legal remedies, criminal law, as well as a protection order in these nations. The United Kingdom's achievements on such issues include: The British Crime Survey in 2006~2007, Northern Ireland Crime Survey for 2005, as well as the national studies of domestic abuse.

V. Timeline of Resolutions, Treaties, and Events

Date	Description of event
1979	The United Nations adopts the Convention on the Elimination of All forms of Discrimination against Women (CEDAW): a international treaty that defines discrimination against women, and sets out obligations for all nations to eliminate such discrimination in all sectors of life.
1993	The United Nations General Assembly adopts the Declaration on the Elimination of Violence against Women: the first international instrument to explicitly address violence against women as a human rights violation and a form of discrimination
1995	The Fourth World Conference on Women in Beijing adopts the Beijing Declaration and Platform for Action, which contains a comprehensive agenda for women's empowerment and gender equality, and identification of 12 critical areas of concern.
2006	The Council of Europe adopts the Convention on Preventing and Combating Violence against Women and Domestic Violence, also known as the Istanbul Convention.
2015	The United Nations General Assembly adopted the 2030 Agenda for Sustainable Development, which includes SDG 5 (Gender equality)
2017	Tunisia adopted the Law on Eliminating Violence against Women, the first comprehensive law in the Arab region to criminalize all forms of violence against women, including domestic violence, sexual harassment, and marital rape.
2018	The European Union and the United Nations launched the Spotlight Initiative, a global, multi-year partnership to eliminate all forms of violence against women and girls, with an initial investment of 500 million euros. The initiative focuses on six regions: Africa, Asia, the Caribbean, Latin America, the Pacific, and Central Asia.
2021	The United Nations and the Inter-Parliamentary Union publishes the Handbook

on Gender-Responsive Legislation, which provides guidance and good practices for parliamentarians and other stakeholders to design, adopt, and implement laws that promote gender equality and women's rights.

1 August 2023 Visit in India for Ambassador-at-Large for Global Women's Issues, as well as G20 Alliance for the Empowerment and Progression of Women's Economic Representation, including special assistant to the president at the White House Gender Policy Council and Special Advisor to the National Security Council on Gender.

VI. Possible Challenges & Solutions

Cooperation with Religious States: Cooperation with religious states can be a key issue due to the potential clash between international human rights standards and the legal and cultural norms prevalent in these states. Laws and other legislative doctrines such as the Sharia Law contain gender roles and expectations that conflict with the modern day principles of gender equality and interpretation of GBV's such as domestic violence.

Fragile & Ambiguous Legal Framework: This issue poses significant challenges to the advancement of gender equality laws. Ambiguities in the law can lead to inconsistent interpretation and enforcement, creating uncertainties for both individuals and institutions. Moreover, fragile legal frameworks also make it difficult for individuals to seek recourse or justice in cases of gender-based discrimination or violence.

Public Opinion: This can be a key issue to the question of gender equality laws as the legitimacy and impact of gender equality laws, even when implemented, hinge on the prevailing sentiments within the public. Therefore, while the creation and legal implementation of gender equality laws may be done by the government, the effectiveness and true impact such laws have on a society is swayed and decided by public opinion.

VII. Recommendations for Resolution Writing including Research

This issue also links to economics of the individual nations as economically developed nations are considered to have more capacity for education and empowerment for gender rights, especially under the context of domestic violence. The delegates with countries mentioned in the previous 'key issue sections' should keep in mind they should research what specific cases of violence were observed, statistics, as well as international cooperations / efforts made to solve this issue. Measures previously taken by the economically developed countries can be used for the developing countries in terms of solutions.

Due to "the question of gender equality laws including domestic violence" directly addresses and confronts a nation's government's legislative branch of government, 1 of 3 fundamental branches of any nations governing body, delegates are highly recommended to look through the basic legal framework of their country of delegation concerning gender equality, as well as the history fellow member of the

committee have in regard to gender-focused laws (i.e; when were gender equality laws implemented, how much did your country of delegation abide to international documents promoting gender equality such as CEDAW or the spotlight initiative). Delegates who do research such details will not only be able to approach the topic in a factual and logistical manner, but also be able to create a powerful resolution composed of clear, direct, and absolute clauses.

VIII. Bibliography

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IX: Additional Resources