

GENDER, SEXUALITY AND LAW REFORM IN THE MIDDLE EAST, NORTH AFRICA AND SOUTHEAST ASIA

March 31 – April 3, 2005, Istanbul

WWHR – New Ways organized an international meeting entitled *Gender, Sexuality and Law Reform in the Middle East, North Africa and Southeast Asia* in Istanbul at the end of March 2005. Issues related to gender equality, sexuality and human rights in the private sphere are still those most contested in Muslim societies. Moreover, reform initiatives are often met the strong opposition of conservative right, nationalist or radical Islamist forces, and are also forestalled by the rise of global conservatism and militarism. Despite this problematic context, advocacy efforts and reforms in various spheres are gaining momentum in Muslim societies.

Inspired by the recent success of our three year campaign for the Reform of the Turkish Penal Code from a Gender Perspective, which resulted in more than 30 amendments enhancing sexual, reproductive, and bodily rights in the Turkish Penal Code, and deriving from the momentum in the MENA and South/southeast Asia region for much needed legislative reform on sexuality issues, WWHR – New Ways held the meeting entitled *Gender, Sexuality and Law Reform in the Middle East, North Africa and Southeast Asia* in Istanbul on March 31st – April 3rd 2005.

The meeting brought together 35 NGO and intergovernmental agency representatives, experts, and academicians actively working on issues of gender, sexuality and law reform on national, regional and international levels. During the 4 day meeting, participants from Algeria, Bangladesh, Egypt, Great Britain, Indonesia, Jordan, Italy, Lebanon, Malaysia, Morocco, Palestine, Pakistan, Tunisia, Turkey and Yemen shared experiences of advocacy for law reform in the domain of sexuality, as well as challenges and strategies to promote legal reform in the domain of SRHR.

The plenary sessions included case studies of successful campaigns, ongoing initiatives and strategizing for further SRHR advocacy efforts, advocacy at the UN level and also contextualized issues of gender, sexuality and law reform in the region through analyses of emerging trends and discourses. A series of parallel sessions and workshops provided the space for in depth discussion of current issues, challenges and strategies, as well as exploring the need and potential for trainings and research geared towards SRHR advocacy in the region.

The meeting provided a unique space for exchange on issues of law reform and sexuality. Recent examples of legal reform, such as in Turkey, Indonesia and Morocco, realized through the efforts of SRHR activists and extensive campaigns, presented a source of motivation and insight for ongoing initiatives; such as the ones in Malaysia, Palestine and Jordan. Participants were also able to strategize for possible venues of collaboration and identify specific needs to strengthen SRHR advocacy efforts such as organizing trainings and conducting research. The meeting also revealed how SRHR issues and law reform are increasingly being tackled by activists in the region, with considerable success, despite taxing national and global contexts. Emerging points from the meeting included the need to create enabling spaces to discuss sexuality and sexual rights on the national level, to facilitate comparative research on SRHR issues and violations and advocacy trainings, to make more extensive use of international documents and increase participation from the region in global SRHR advocacy efforts and advocate for holistic legislative reform to safeguard SRHR.

Meeting Program

MARCH 31, 2005, THURSDAY

18.00 – 19.30 **Welcome and introduction of participants**

APRIL 1, 2005, FRIDAY

09.30 – 11.00 **Advocacy for Law Reform in the Middle East and Southeast Asia:
The socio-political context (Moderator: Amal Abd-el Hadi)**

Ivy Josiah (Women's Aid Organization, Malaysia)

Challenging the Culture of Law

Nighat Saeed Khan (Institute of Women's Studies, Pakistan)

The Impact of the Political Climate on the Discourse of the Women's Movement: The case of Pakistan

Harhad Ouardia (Ass. Indépendante pour le triomphe des droits des femmes, Algeria)

Personal Status Code between Reforms and Uncertainties: 2005 , being a woman in Algeria

Dede Oetomo (University of Surabaya / GAYa Nusantra, Indonesia)

The Politics of Non-conforming Genders and Sexualities in Southeast Asia: The religion factor

11.15 – 12.45 **Celebrating our Success: Recent Law Reforms (Moderator: Nadera Shalhoub-Kevorkian)**

Pinar Ilkkaracan (WWHR-NEW WAYS, Turkey)

The Campaign on the Reform of the Turkish Penal Code from a Gender Perspective: A success story with a religious right government

Rabea Naciri (Collectif Maghreb/ADFM, Morocco)

Women's Movements and Democratic Reforms in Morocco

Nursyahbani Katjasungkana (MP, Indonesia)

Recent Law Reforms in Indonesia

14.15 – 15.45 **Recent Advocacy Initiatives for Legal Reforms
(Moderator: Daniela Colombo)**

Nizar Saghieh (Hurriyat Khassa, Lebanon)

Advocacy for Self Determination in Sexual Matters

Amneh Zu'bi (Jordanian Women's Union, Jordan)

Dima Aweida / Luna Saadeh (WCLAC, Palestine)

The Campaign for the Reform of the Penal Code in Palestine

16.00 – 17.30 **Plenary: Strategizing for Law Reform in the Middle East and
Southeast Asia (Moderator: Louisa Ait-Hamou and Liz Erçevik Amado)**

17.45 – 18.00 **Film Screening: *Listen to My Voice*** (A Documentary about Zenanas in Pakistan by VISION)

APRIL 2, 2005, SATURDAY

09.00 – 10.30 **Advocacy at the UN Level and Utilizing the UN for Law Reform**
(Moderator: Faysal El-Kak)

Yakin Erturk, The UN Special Rapporteur on Violence against Women

Utilizing the UN for Gender Equality, Advocacy and Lobbying

Amal Abd-el Hadi (Coalition for Sexual and Bodily Rights in Muslim Societies)

The Advocacy Experience of the Coalition for Sexual and Bodily Rights in Muslim Societies at the 49th Session of CSW - Beijing+10 in March 2005

10.45 – 12.00 **Parallel Sessions: Challenges and Strategies**
Session 1: (Moderator: Eman Nimri / Rapporteur: Mehves Bingollu)

Rachida Tahri (ADFM, Morocco)

Recent reforms and advocacy initiatives in Morocco

Nasreen Huq (Action Aid, Bangladesh)

In the Realm of Possibilities: Reform of laws and policies on gender and sexuality in Bangladesh

Hossam Bahgat (Egyptian Initiative for Personal Rights)

A Gender-Sensitive Reading of Some Law Reform Initiatives in Egypt

Session 2: (Moderator: Tahir Khilji / Rapporteur: Ivy Josiah)

Beng Hui (IWRAP Asia Pacific, Malaysia)

One Step Forward, Two Steps Back?: Conundrums of the rape legal reform campaign in Malaysia

Louisa Ait-Hamou (Réseau Wassila, Algeria)

Challenges to the Law: The case of women victims of rape in Hassi Mesaoud

Amal al-Basha (Sisters' Arabic Forum, Yemen)

Utilizing the International Criminal Court (ICC) for Advocacy and Law Reform

12.00 – 12.45 **Plenary: Challenges and Strategies**

14.00 - 15.15 **Parallel Sessions**

Session 3: Advocacy for Safe Abortion, Sexual and Reproductive Health and Rights
(Moderator: Amal al Basha / Rapporteur: Eman Nimri)

Lilia Labidi (University of Tunis)

Islam, Gender and Reproductive Health: The Tunisian case

Ninuk Widyantoro (Women's Health Foundation, Indonesia)

Advocacy for Safe Abortion in a Country where Abortion is Still Illegal

Ester Kismodi (World Health Organization, Department of RH and Research)
Promotion and Protection of Sexual and Reproductive Health and Rights through the UN
Human Rights Treaty Monitoring System

Session 4: Advocacy for Sexual Rights, Sexual Orientation and Gender Identity
(Moderator: Zaitiun Mohamed Kasim / Rapporteur: Hossam Bahgat)

Tahir Khilji (Vision, Pakistan)

Sexual Minorities and Human Rights in Pakistan: Where do we go from here?

Öner Ceylan (Lambda, Turkey)

The Legal and Political Struggle of LGBT People in Turkey

Susan Jolly (IDS, UK)

Integrating Sexuality into Development: The 'Realising Sexual Rights' project of IDS

15.30 - 17.30 Workshops

Workshop 1: Developing and conducting trainings for sexual, bodily and reproductive rights: Is there a need? (Moderator: Amal Abd-el Hadi /Rapporteur: Dede Oetomo)

Resource persons for discussion input:

Daniela Colombo (AIDOS, Italy)

Khedija Arafoui (AFTURD, Tunisia)

Workshop 2: Conducting and utilizing research for advocacy on sexual, bodily and reproductive rights: Is there a need? (Moderator: Faysal El Kak / Rapporteur: Liz Ercevik Amado)

Resource persons for discussion input:

Nadera Shalhoub-Kevorkian (University of Jerusalem / WCLAC, Palestine)

Zaitun Mohamed Kasim (Sisters in Islam, Malaysia)

Eman Nimri (Queen Zein al Sharaf Institute, Jordan)

APRIL 3, 2005, SUNDAY

09.15 – 12:30 Plenary: Reports from Sessions on Advocacy for Safe Abortion, SRHR / Sexual Orientation and Discussion

14.00 – 15.30 Plenary: Future Strategies and Networking

15.45 – 18.15 Closing plenary