

Forum: United Nations Women (UNW)

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Introduction

Globalization has caused many issues between countries, the controversial ideas of women's legal rights. One of them is child marriage, which affects children all over the world and can take a physical and emotional toll on those who are directly affected by it. In nations where child marriages are common, high indexes of early pregnancies can be found, and the mothers often have a lack of medical resources available to them, putting their health directly at risk. Early pregnancies have been identified as a leading cause of death in many developing countries. Furthermore, girls involved in a young marriage are often forced to leave school in order to take care of household activities. This hinders a large percentage of young populations in countries where child marriages happen often, and as a result, many of them are unable to further their education in hopes of a better future.

Another issue encountered on today's society is women's legal rights in divorces. These rights may vary from country to country making different values a priority. In order to divorce, that couple has to prove that their marriage has definitely broken up, and this can be difficult depending on the economic state of the persons involved. This is due to the cost of lawyers, investigators etc. needed in order to prove the marriage is over. A court considers the marriage to be broken if there has been adultery, unreasonable behaviour, desertion, two-year separation with consent, or five year separation. If none of these cases are proven at court, the married couple cannot divorce under any circumstances. Furthermore, once on the process of the divorce the court must decide how to distribute the wealth of the divorcing couple considering the different variables there are. This is an issue mostly in undeveloped countries where they do not consider

women's rights during a divorce, resulting in an unfair distribution of wealth owned by the marriage and a breach of human rights.

Another issue at hand is the lack of women in positions of power over the country. Women who are in positions of power, are able to hold responsibilities over a charge and are able to influence on the issue. In most nations, women represent a very small percentage of leadership positions within their government. There are many barriers to their participation in politics, most regarding child care and the stereotype that women should take care of the house and their children. Research shows that the reason most women do not participate in office is because they believe they are not capable or qualified to run for these jobs. Women empowerment is the core to development and gender equity as well as the leading cause to women in positions of power. Historically, power has been distributed among the sexes separately as powerful positions have mostly been associated with men as opposed to women. Currently the UN, women lack access to decent work and face occupational segregation and gender wage gaps. This does not only lead to an obvious deprivation of women rights, but it will also lead to a less developed countries. This is due to the unemployed women who would excel in their field but are not hired just due to their sex.

The last issue in hand is sexual harassment, which is present in a day to day basis in a woman's life, but is has been ignored due to its frequency . Gender based violence is defined as "violence that is directed against a woman because she is a woman or that affects women disproportionately"(United Nations Human Rights). One of the biggest problems with combating sexual harassment is that women fear to speak up. Many cases of gender based violence happen every day but are not reported and some cases are reported but no action is ever taken.

Definition of Key Terms

Minors

Someone who is under the legal age of 18. Minors are protected under the law from many situations and issues such as child marriages are violations of said protection.

Developing country

A nation that is not yet industrialized, and often has low rates of economic and social development. Regions like these seek for more resources and solutions in order to become more advanced in areas where they lack expansion and infrastructure.

Gender Inequality

Unequal treatment or recognition based on or influenced by an individual's gender. Society's gender norms also play a big part in gender inequality in regions where the roles of both genders are evidently different.

Dowry

Property or money that is gifted from the bride and her family to the husband. In countries where dowries are a tradition, impoverished families often marry their children at a younger age in order to "exchange" their daughters for a small sum of money seeing as it would be considered more affordable.

Sexual Harassment

Type of harassment that applies to all genders, where there they are in a workplace, or professional or social situation, in which there is an unwanted sexual advance, requests for sexual favors, and other verbal or physical harassment of a sexual.

Power

The authority and competence in which people have to apply or share their knowledge to an organization, a company or group, in order to carry out any task, work, or activity.

Empowerment

The series of processes by which the participation of individuals and communities is increased, generally towards a minority in topics such as politics, daily living and economy, in order to promote beneficial changes for the group and their current life situations.

General Overview

Child Marriage

Child marriage is defined as any formal or informal union where both or one party are under the age of 18. Seeing as it is likely that girls become pregnant and are not able to work, resulting in a lack of education and further opportunities, child marriage is in violation of girls' rights to health and education, amongst others. If current trends continue, over 150 million girls will be married in their childhood before 2030, posing devastating consequences for the whole world. Nine out of ten countries with the highest child marriage rates are considered undeveloped countries, with a low economy.

Child marriage stems from gender inequality, poverty, and traditions. This happens mostly in communities where females are not valued the same way as their male counterparts. Where females are mostly seen as a way to ease economic hardships through marriage, or a way to secure the future of a family. In many countries there is a "Bride Price" in which a family pays the groom less if the bride is young and uneducated, therefore they end up lacking individuality and human rights. These communities also follow a religion in which it's tradition to arrange child marriages. With this, it is controversial whether taking action would be considered a violation of the cultural development of a population. With a growing human rights movement it is important to avoid causing riots amongst the people in order to maintain their full support to increase efficiency when battling a serious issue like this.

Divorce Rights

Marriage and divorce rights may vary from country to country. This is why choosing the right country to get divorce in is important as it can have an impact on how marital finances are shared. An individual may only be divorced if it has been proven that the marriage has irretrievably broken down. To prove this, you must state one of the five facts in your divorce petition. *Adultery*, must be proven at court, within six months of when the individual finds out and in addition you must prove that you find it intolerable

to live with your spouse. *Unreasonable behaviour*, in which you have to prove that you cannot live with them through four to five examples, within a six month range from the first incident. *Desertion*, where an individual of the marriage has left the other one for at least two consecutive years. *Two years separation with consent*, in which both parties agree to a divorce. *Five year separation* in which you are entitled to apply for a divorce even if your spouse does not agree. If spouse can only oppose if they are able to prove that ending the marriage would result in serious financial hardship. If you are not able to prove one of these five reasons for divorce, you are not allowed by the law to get divorced, which could result in the damaging of any member of the marriage, including the children.

The court may choose to consider the following things. The income, earning capacity, property and financial resources of the married couple now and in the future; The financial needs, obligations and responsibilities of the married couple now and in the future; The standard of living before the breakdown of the married couple; The ages and the length of the married couple; Any physical or mental disability that the married couple may have; Any contributions that the married couple has made or will make, including looking after the home and caring for children; Any behaviour by the married couple that the court considers relevant; Any value or benefit to the married couple which may be lost in the divorce. Although those are the things that the court should consider during a divorce, in most undeveloped countries are not. Resulting in an unfair distribution of wealth owned by the marriage and a breach of human rights.

Position of Power

Recognizing that in most societies women have less decision-making power than men over strategic aspects of their lives, concepts such as power, rights, interests, elections and control are all imperative to the empowerment of women around the world. It is critical that women have the availability to make decisions, such as those related to their own health and well-being. Women should be able to exercise their roles with complete freedom, have influence in the decision-making process, be able to express opinions, vote and execute actions without being vetoed or made invisible; they should be able to influence their own health and well being. In the case of health, equity is the absence of unfair and avoidable differences in access to health goods, services and

opportunities and in the health outcomes among different groups. In order for women to obtain health rights, they should be free to assemble their character, exercise their talents, seek after their interests, and express their opinions within their community, and in their working environment. Recognizing and supporting women's strengths and capabilities will not only enhance individual women's lives but also revolutionize our society and our world. Woman should be able to stand out in all areas, be it political, social, labor, cultural, religious, etc., and despite the many obstacles and barriers imposed by society, clearly dominated by men, women have demonstrated equality of condition and operation, which is given to them by their quality as a human being, which has nothing to do with their gender.

Sexual Harassment

Many women around the world suffer of sexual harassment and gender based violence on a day to day basis. Gender based violence is defined as "violence that is directed against a woman because she is a woman or that affects women disproportionately." This includes acts that cause physical, mental or sexual harm to a woman. It affects women in a variety of ways, and some have become so common they might not even be seen as acts of harassment, such as being approached with "hey sexy" or "hey beautiful" on the street, being instructed to smile or even being interrupted or disturbed with the intent of creating an interaction. We often only think of the more physical and aggressive manifestation of harassment like being touched in inappropriate places or even rape, but this is not the case. The World Health Organization, has concluded that an estimated 2 billion women aged 18 years and older have been sexually harassed. Thus, for many women worldwide, sexual harassment has inevitably become part of their lives.

One of the biggest problems with combating sexual harassment is that women fear to speak up. Many cases of gender based violence happen every day but are not reported and some cases are reported but no action is ever taken. The US Equal Employment Opportunity Commission receives around 12,000 allegations of sex-based harassment each year, with women accounting for about 83 percent of the complainants. Claiming that an estimated 75 percent of all workplace harassment incidents go unreported.

Major Parties Involved and Their Views

Niger

Niger is recognized as the country with the highest number of child marriages. The nation also has a high prevalence of poverty and other factors that often increase statistics regarding child marriages specifically.

United States

Sexual harassment, assault, rape and gender bias have been social taboos for hundreds of years in the United States. The US Equal Employment Opportunity Commission received nearly 30,000 harassment allegations in 2015 and they estimate that 75 percent of all workplace harassment incidents went unreported that year. The United States faces a problem with processing sexual harassment claims because many companies often process claims through mandatory confidential arbitration instead of an open court. This is because companies with a public face don't want sexual harassment claims to go public when the harasser is a company star. Due to this, many victims of harassment feel they don't receive the justice they deserve.

The United States, as one of the most active and powerful countries in the world, has always had an active role in the equal footing of men and women in all spheres of society. They have made advancements regarding the participation in decision-making processes and have initiated campaigns that contribute to the empowerment of the female gender. However, despite this progress, gender inequality in the US continues to persist in many forms, including the imbalance in women's political representation and participation where only 20% of Congress is made up by women.

India

India has also shown high numbers of child marriages, being ranked at 10th place, however, most of the marriages in India occur between ages 15 and 18 most of the country is largely affected by the issue.

Since a very young age, women in India are taught to ignore sexual harassers. The common protocol for women is to keep quiet and move on unless their safety becomes threatened. Most of them don't bother themselves with reporting harassers to the police because these complaints are scorned upon by officers and society itself. Moreover, the harassers are rarely convicted and unless the evidence is so damning that the courts cannot ignore it they will be let free without repercussions. Many Indians believe that this needs to be changed in order to "instill respect and fear of the law among these criminals".(My Legal Work)

Women represent 48% of the population of India, about 672 million, according to the last census of 2011. Half are at risk of exclusion and more than 175 million are illiterate. The situation of inequality, poverty and lack of opportunities makes India one of the countries with the highest suicide rate in the world, with 21 cases per 100,000 inhabitants. It has not yet been possible to demonstrate a true development of female role in India. Despite the accelerated economic and technological growth India has experienced, it has still not been possible to solve certain social aspects that are not very beneficial for women. Day by day they are victims of marginalization and discrimination which does not allow them to enjoy true independence. In India, as revealed by the 2011 census, families are more likely to decide to abort when they know they are expecting a daughter. This is because women in India are considered a bad investment: they have to be fed, educated and fail to contribute back economically to the family.

Saudi Arabia

Human rights in Saudi Arabia are based on Islamic religious laws under the monarchical regime of the House of Saud. Saudi women only account for 23% of the workforce in Saudi Arabia (Database World Bank). Although women have the right to vote in elections, women in Saudi Arabia can't occupy decision-making positions in the government. It is forbidden, also known as "haram", for women to own property or businesses without the consent of a male guardian (father, husband or other). Rights for women in Saudi Arabia are extremely limited: driving at their own jurisdiction, owning a bank account, interacting with male strangers, and refusing to wear a head cover. All

of these contribute to the imbalance of gender equity and to the obstruction of women empowerment in Saudi Arabia.

Brasil

Child marriage in Brazil is different from other regions due to the fact that it's not based or encouraged by cultural practices. Instead, the main cause for the high percentage of child brides stems from the popular belief that it will grant them protection and economic security in regions where their opportunity would otherwise be limited.

Afghanistan

Afghanistan has been called multiple times the world's "most dangerous country" (John Haltiwanger) for women, because women in Afghanistan are subjected to violence on a daily basis. 2,026 cases of violence against women were registered by the Afghanistan Independent Human Rights Commission. Apart from physical violence, other types of violence against women are also widespread. The most avoided being sexual harassment in the workplace, educational institutions, and on the streets. The Afghan government made harassment a crime, but did not properly define the term, therefore impeding women to identify it, thus provide ample leeway to government officials seeking to curb harassment.

There is also a huge taboo revolving around sexual harassment in Afghanistan. Due to culture and religion, women are often ashamed to speak up. Instead of reporting their abuser, women will prefer to quit their job. Some women believe that if they say the name of the harasser, they might be putting themselves or their family in danger. This topic is so sensitive in Afghanistan that women fear that their own family members might carry out an honor killing against them if they were to speak up. It is not unheard-of for rape victims in Afghanistan to be killed by their own relatives, who believe the shame attached to rape is worse than the suffering of the rape victim.

UNICEF and UNFPA

UNICEF (United Nations International Children's Emergency Fund) and UNFPA (United Nations Population Fund) have a joint global programme of the UNFPA-UNICEF Global Programme to Accelerate Action to End Child Marriage. UNFPA also has its own Action

for Adolescent Girls Programme, that focuses on providing aid and empowering girls and young women. In 2012, UNICEF organised the International Day of the Girl Child, where the theme focused on child marriage in order to raise awareness on the topic.

Girls not Brides

Girls not Brides is a global partnership, that counts with the participation of 800 civil society organizations based in more than 95 countries. The program focuses on empowering girls and eradicating child marriages to help girls fulfill their full potential.

Timeline of Events

Date	Description of event
1879	Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is adopted by the UN general Assembly
February 28, 1909	First National Woman's Day takes place in the United States.
1987	The International Association on Adolescent Health (IAAH) is formed.
November 20, 1989	Convention on the Rights of the Child (adopted and open for signatures)
1994	The International Conference on Population and Development (ICPD) is adopted by 179 member states.
July 2, 2010	UN Women was created by the United Nations General Assembly.
October 11, 2012	First International Day of the Girl Child (organized by UNICEF)
July 12, 2013	After being attacked by the Taliban, Malala Yousafzai delivers speech on education and girls' rights.

2014	HeForShe movement arises, a solidarity campaign that promotes gender equality, created by the UN.
June 22, 2017	HRC adopted a resolution to end child marriage in humanitarian contexts.

UN involvement, Relevant Resolutions, Treaties and Events

The UN has made it clear that combatting this international issue is in its agenda.

- The creation of the UN Women, on the second of July 2010, was a big step taken by the UN in order to address the issues of gender equality and the empowerment of women. Its main purpose was to accelerate progress on meeting women's needs worldwide. The organisation supports UN Member States and works in unison with them in order to design laws, policies, programmes and services in order to achieve global standards set by UN Women themselves. It works globally in order to make the UN's Sustainable Development Goals a reality.
- UN Women supports Partners for Prevention (P4P), a regional UN joint programme for Asia and the Pacific that provides new knowledge. The Programme's long-term goal is to reduce the prevalence of gender-based violence in the region through behavior and attitudinal change among boys and men, increased institutional capacity and policy enhancements.
- UN Women has created a co-educational curriculum called "Voices against Violence", designed for various age groups that range from 5 to 25 years. "The curriculum provides young people with tools and expertise to understand the root causes of violence in their communities, educate and involve their peers and communities to prevent such violence, and learn about where to access support if violence is experienced." Depending on the age group, the curriculum includes a range of activities from storytelling and games that prompt them to think about gender bias to poster competitions, visits to local shelters and even

developing local community-based campaigns and projects to address specific forms of violence against girls and women.

- The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979 by the General Assembly of the United Nations, is often described as an international law on women's rights. The Convention defines what constitutes discrimination against women and establishes an agenda of national actions aimed at ending it. Countries that have approved the Convention are enforced to implement into practice. They must submit national reports at least every four years on the measures taken to comply with treaty obligations.
- The International Conference on Population and Development (ICPD) hosted by UNFPA has called on countries to eliminate child marriages, and has actively discussed the issue. The convention on the rights of the child is another significant UN treaty, it outlines living standards for the youth and specifically mentions child marriage. UN Women has also focused on the creation of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). This convention was adopted in 1979 by the UN General Assembly.

Evaluation of Previous Attempts to Resolve the Issue

As seen through UN involvement, there have been many initiatives aimed at solving the issue of sexual harassment. However, the issue still strongly persists in many countries around the world. The main problem regarding previous UN solutions is the fact they are small scale solutions to specific issues with regards to a single nation. For example, when UN Women trained judges in Cape Verde it was very effective, yet this training was not given to any judges in any other country. Moreover, programs like UN Women's co-educational curriculum, "Voices Against Violence", have not gained the momentum they need in order to make a change. For this particular example, only some schools around the world employ this curriculum. Nevertheless, previous attempts to resolve the issue may serve as groundwork to bigger solutions that will address sexual harassment around the world. There have been many internationally agreed norms

where nations came into agreement about eliminating and preventing violence against women but these have not been enforced nor monitored. Lastly, due to the lack of monitoring, UN Women databases, such as the Global Database on Violence against Women, are rarely updated and official reports on the different nations are posted at an inconsistent rate.

The UN Women programs on leadership and participation are based on a broad record of commitments on the representation of women in international instruments. The CEDAW, adopted by the UN in 1979, defends the right of women to participate in public life and obliges States to adopt measures in a manner very concrete to eliminate discrimination against women. The CEDAW recognizes the role of culture and traditions in the maintenance of discrimination against women, and obliges States to eliminate stereotypes in the roles of men and women. The Beijing Platform for Action, adopted in 1995, urges the elimination of obstacles to equal participation but in the last 20 years, progress has been very limited. The lack of political commitment and financial resources, along with increasing religious fundamentalisms have prevented the fulfilment of the commitments made by governments in Beijing.

There are many programmes worldwide, along with conventions and treaties, that speak against child marriage and have brought awareness to the general public on this alarming issue. Despite the efforts being made by the UN and countless other organizations, child marriage is still largely present in many nations and puts many young children at risk. However, as mentioned before, some progress is visible when comparing current statistics to those before most programmes were put into action.

Possible Solutions

In order to solve this pressing issue, action must be taken in various aspects. First off, the committee should focus on supporting international events in order to raise awareness to the issue. If a viable option is deemed appropriate, more events or celebrations could be created to further spread awareness.

Seeing as child marriage often has an impact on education programs, these should be strengthened and made available to those in rural and impoverished areas. Nations should seek to provide safe institutions in every area of the country. Furthermore, proper transportation should be provided to those in areas at a long distance from their educational centers. Curriculums could also be adapted in order to better fit the needs of a community, and provide proper education that could teach young children about common issues in their region that would include the implications of child marriage. Charity-oriented projects could be considered as an alternative to raise funds and gather volunteers to help in said educational facilities. Lastly, campaigns to inform young girls and boys should be spread internationally, and especially in the areas most affected by the issue. These campaigns could provide information on children's rights regarding the situation, and help centers where they can seek aid if they are being affected.

One of the solutions for the issue of preventing and combating sexual harassment suggest changes in legal systems and public frameworks. Although the world has been steadily advancing with regards to women's rights, there are still many governments that fail to protect the rights and well-being of survivors or punish perpetrators. In many nations, governments do not address the issue of domestic violence, claiming it to be "matters that are outside justice". Nevertheless, violence in the private domain has recently gained a lot of attention, being recognized many countries as a human rights violation, whereas sexual harassment in public and the workplace remains a largely neglected issue with few policies addressing it. According to UNW, Laws and policies can provide the foundation for a coordinated and comprehensive approach to violence against women. Furthermore, even though there has been a lot of recent progress in this area, implementation is still lagging behind. It is important that solutions find ways to monitor and evaluate the implementation of these laws. The UN Women suggests actions such as training adequate human and financial resources to the issue.

Lastly, a problem that must be addressed is the fact women rarely report when they suffer forms of sexual harassment. There is no way to properly grasp the scale of sexual harassment without reports. Furthermore, laws cannot be effective if a large majority of women do not report cases of sexual harassment. Most women fear they

may lose their jobs, experience public shaming or even be physically hurt or killed for reporting their harassers. There must be a way to ensure women who speak up are not punished by society for doing so. It is key that they feel safe and encouraged to report their harassers, this can be achieved through awareness programs and the creation of laws that ensure they won't be unjustly treated for speaking up.

There are many solutions that could be proposed to help empower women and encourage men not to disregard women. For instance, having compliance within standards in labor laws would promote transparent conversations in order to generate a comfortable atmosphere for both genders in business and labor fields. This would lead to the improvement of the image of the company, which would grant the company a fair and transparent corporate reputation. Having established non-discriminatory policies will have positive results in the overall atmosphere such as employee satisfaction, committed and motivated staff, as well as more cooperation within individuals. Adding new policies that also enforce training on equal opportunities would reform the entire workforce, from the top management, to the human resources department, to area managers and also to the rest of the workers.

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Appendix

- I. Girls not Brides
<https://www.girlsnotbrides.org/why-does-it-happen/>
- II. Rights of Women: Divorce
<https://rightsofwomen.org.uk/get-information/family-law/divorce/>
- III. Rights of Women: After Marriage
<https://rightsofwomen.org.uk/wp-content/uploads/2014/10/PDF-guide-to-financial-arrangements-after-marriage-breakdown.pdf>
- IV. Discrimination towards Women
<https://www.ohchr.org/EN/Issues/Women/WGWomen/Pages/SubmissionInformation.aspx>
- V. Afghanistan and Women Rights
<https://www.businessinsider.com/afghanistan-is-officially-the-most-dangerous-country-in-the-world-2019-6>
- VI. Sexual Harassment
<https://mylegalwork.com/guides/sexual-harassment>