**The Issue of Gender and Religion-Based Violence, Torture and Persecution in North Africa and the Middle East**

The Middle East and North Africa region is facing humanitarian crises and forced displacement on an unprecedented scale. These conflicts and the displacement disproportionately burden women and children who now compromise 78% of Syrian refugees. Sexual and gender based violence (SGBV) is now increasingly wide-spread in these conflict-affected countries, and is often one of the causes of flight. SGBV is a great concern for thousands of women, men, girls and boys affected by the Syria and Iraq crises. There are increased risks and many forms of violence such as forced and/or early marriage, sexual exploitation, domestic abuse and many more, The UN Refugee Agency (UNHCR) is already in co-ordination with national authorities, NGOs and other regional partners in order to combat the issue in refugee situations.

However, this issue of gender-based violence isn’t just a problem on a ‘refugee scale’ but it is a growing problem throughout each of the countries in the MENA region. In all countries, dozens of female human rights defenders were targeted for advocating women’s rights or protesting against sexual harassment. Authorities used arbitrary detention and uncurbed forces against protesters to guard civil society. There have been limited positive developments with respect to women’s rights and violence against women on an institutional level. The Palestinian authorities repealed a provision that had allowed individuals suspected of rape to avoid prosecution and imprisonment if they married their victims. Similar measures had been taken in Jordan, Lebanon and Tunisia in 2017. In Jordan, the government opened a shelter for women at risk of family violence for their ‘honour.’ A prominent example of women and girls remaining inadequately protected against SGBV is in Libya. The authorities failed to protect women from SGBV from militias and armed groups. Women who protested against corruption or the violence in the militias were subjected to threats and abduction.

The rights of the LGBTIQ+ people are continuing to be limited. In Lebanon, police harassed and abused LGBTIQ+ people, particularly in refugee and migrant areas. They would occasionally make use of a penal code provision that criminalises ‘sexual intercourse contrary to nature.’ Another example of the breach of the LGBTIQ+ people is in Tunisia, where the police arrested a minimum of 115 people due to their perceived sexual orientation and gender identity. 38 of these people were later convicted of charges relating to engaging in same-sex relations. These men were forced to have anal examinations, which violated the prohibition of torture. There are countless more examples of the mistreatment and the breach of the rights of LGBTIQ+ people, some member states are showing improvements regarding LGBTIQ+ rights. A prominent example of this is in Lebanon where a district court of appeal recently ruled that same-sex consensual sex was not a criminal offence.

Religion- based violence, torture and persecution is also an increasingly predominant problem in the MENA region. In Algeria, local authorities in several regions called for the closure of a minimum of 8 churches or places of Christian worship saying they did not comply with a 2006 decree on ‘non-Muslim cults’ and security standards. The different governments have been continually restricting the right of Christian to worship and haven’t bought those responsible for hate crime against Christians to justice. In Egypt, the authorities granted full registration to 588 out of about 3700 churches. Nonetheless, Shi’a Muslims are also subjected to discrimination in many member states, but in particular Saudi Arabia. Some Shi’a activists accused of supporting or taking part in demonstrations or expressing critical views of the state were put on trial. Some cases faced the death penalty after unfair trials.

Freedom of religion and belief was particularly violated in law in Iran where countries continued to impose, on people of a wide range of faiths, public conduct rooted in a strict interpretation of Shi’a Islam. The right to change or renounce religious beliefs is continually violated as atheists remain at risk of arbitrary arrest and detention, ill treatment and torture. In some cases, they are also at risk of the death penalty. Furthermore, Christians continue to face harassment, arbitrary arrest and length prison sentences. Victor Bet-Tamraz and Shamiram Issavi, ethnic Assyrian Christians, and Amin Afshar-Naderi and Hadi Asgari, Christian converts, were sentenced to between

five and 15 years in prison for peacefully practising their faith.

**Points to Consider:**

* What are the current policies in your country regarding SGBV?
* How can the authorities be controlled to prevent unlawful persecution?
* What are your country’s views on different religions and different sexualities?
* How would your country choose to combat the issue of the breach of the right of prohibition of torture?

**Useful Links:**

* <https://www.amnestyusa.org/wp-content/uploads/2019/02/Human-rights-in-the-MENA.pdf>
* <https://www.amnesty.org/en/latest/research/2019/02/human-rights-in-the-middle-east-and-north-africa-2018/>