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Women and the Arab Spring

Testimony before the Senate Foreign Relations

**Subcommittee on International Operations and Organizations, Human Rights,
Democracy, and Global Women's Issues**

and the

Subcommittee on Near Eastern and South Central Asian Affairs

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Chairwoman Boxer, Chairman Casey and members of the two subcommittees, it is an honor to appear before you today to present my views on the role of women in the Arab Spring, specifically in Libya. The views I express today are my own and not necessarily those of the U.S. Institute of Peace (USIP), which does not take policy positions.

I currently direct USIP's programs on Iraq, Iran and North Africa. My views are informed by my work at USIP which conducts training and field operations and provides tools to help prevent, manage and end violent international conflicts. USIP has been working on the ground in Libya since early this spring, engaging with the burgeoning civil society sector and serving in an advisory role to the Libya Stabilization Team formed by the National Transitional Council (NTC). USIP is also training Libyan civil society leaders in conflict management skills to build local capacity to manage the transition out of conflict and the difficult task of national reconciliation. USIP knows that this is an essential activity following conflict.

Women in the Revolution

This hearing is very timely and critically important for those concerned about ensuring that women have a role in their country's development. With the fall of Qaddafi, the different cities and towns across Libya are struggling to agree on a unified narrative of the revolution. There is one part of the narrative that everyone seems to agree on: women were a crucial motivating factor in the midst of the struggle for freedom. Whether it was the hundreds of Libyan women who traveled with the men to the frontlines to form makeshift kitchens or the women positioned inside Qaddafi strongholds who smuggled guns and information, women carved out a space for their participation. Women across Libya nursed the injured, while Libyan women in the diaspora returned to provide technical assistance to the newly formed NTC. Libyan women were able to gain access and they played both traditional and nontraditional roles that earned them a clear chapter in Libyan history.

Women such as Najla Elmangoush, a lawyer who quickly volunteered to chair the Public Engagement Unit within the Executive Office to create a link with the newly emerging civil society organizations and the transitional council.

Or Amina Mogherbi, who formed an organization to provide humanitarian aid to the internally displaced fleeing fighting from the northern and western provinces.

In Tripoli, several women created a network to sew and distribute the new Libyan flag during the siege. Women like Amira Jalayde, from Sarman, just an hour outside Tripoli, worked to help link religious leaders with civil society and the NTC, recognizing that to build a prosperous and inclusive Libya, everyone will need to play their part.

Few would dispute women's role in the revolution. The question on women's minds today is whether it is sustainable or not. Libyan women openly admitted they had suppressed the alarm bells that rang when the NTC was formed, when out of 40 members, only two were women. Women decided that unity was more important than their individual needs, and that as soon as Libya was truly free (i.e. after Qaddafi's capture) then they would speak out. During my

trip to Tripoli last week, women told me that the time had come. They openly recognize that if they do not demand a place at the decision making table as the future of their country is being developed, then they will miss a crucial opportunity. One civil society activist in Tripoli gave voice to these women's fears when she explained that the current trend was to restrict women to the humanitarian space, and away from the political process. During a conflict resolution training USIP conducted which included women from Benghazi, Misrata, the Nufusa Mountains, Zawiyah, and many other areas across Libya, the Libyan women all had the same message: they would not let this happen.

A Seat at the Table

Libyan women are not starting from a blank slate. Libyan women have had the legal right to vote since 1964, a right some countries in the region have only recently gained. Women also have a long history of organizing; the first women's group dates back to 1955 in Benghazi. As in most dictatorships in the region, citizens were not discriminated against by gender, but rather, by loyalty to the party.

In fact, under Qaddafi, a lot of rhetoric was in support of women. Article 21 in the Human Rights Charter acknowledges that discrimination against women is "a gross and unwarranted injustice". In 1997, the Charter on the Rights and Duties of Women in Libya provided several safeguards for women, including integration into national security, rights in marriage, divorce, and custody, and nationality of children. It also safeguarded their right to work, social security, and financial independence. Qaddafi's regime mandated equal pay for equal work for men and women. In 2007, the Libyan government in coordination with UNDP launched a project to address the legal ramifications of divorce and property rights, two crucial sectors that have great impact on economic empowerment of women.

Libyan women see these rights as guaranteed, and anticipate that there will be opportunities under the NTC for advancement. NTC president Mustafa Abdel Jalil worried many women with his liberation speech in which he declared that Libya's future legal system would be based on Islamic law. Most women claim to trust in the President's leadership, but admit that his recent speech had them concerned. There is a strong emphasis that women do not generally oppose Islamic law, and in fact many feel Islamic law is the best framework for protecting their rights. Their concern, however, is with the trend towards imposing a monolithic interpretation of Islamic law. Despite the most recent speech, the NTC leadership, and particularly the Executive Committee, has verbally committed to supporting women on several occasions.

There are several reasons for the lack of women's participation at the leadership level. First, there is desire to have area representation from different parts of Libya, and particularly tribal representation, some of which harbor biases against the political participation of women. Libyan women are hesitant to become part of the political process without a guaranteed safe and enabling environment. Although the Qaddafi regime was open to women, it was not necessarily safe for them. Several Libyan women I spoke with emphasized under Qaddafi's regime that sexual harassment was part and parcel of any promotion in the political system.

One of the common arguments among Libyan decision makers is that there are no qualified women. I think it is important that the international community challenge this argument. Libyan women are active in the key respected professions - doctors, engineers, lawyers, and university professors. In Benghazi, which is considered to be a more conservative city by comparison to Tripoli, 40% of the lawyers are women. If qualifications are tied to education, Libyan women have the advantage once more. At the primary education level, women and men have equal access to education, and girls have higher attendance rates than their male counterparts in secondary school, according to the World Bank 2011 Data Book on Gender.

That is not to say that Libyan women do not face certain challenges. Although women are highly educated, they are acutely missing from the labor market. Women across the country account for only 25% of the labor market. With the large number of detainees and missing persons due to the Qaddafi regime and the recent fighting, there are many female heads of households. Expansion of employment opportunities for women will be a key factor in the stabilization of the country. At the same time, the issue of sexual violence and the use of rape as a tool of war in Libya is one that cannot be emphasized enough. In addition to the trauma this has created for the victims and their family, it has added another layer to the already complex need for reconciliation across the country. Libyan women will struggle with these challenges for a long to come.

As far as USIP's response, USIP was the only non-Libyan participant invited to sit on the Libya Stabilization Team, which was formed by NTC Presidential decree. The first request was to share lessons learned from Iraq and Afghanistan. Naturally, protecting politically marginalized groups such as women and minorities was an essential part of that presentation. The Chair of Libya Stabilization Team responded positively to the recommendations on women, and demonstrated an openness to women's inclusivity. However, the reality is that this can only be accomplished if international allies continue to keep it on the agenda. The United States' recognition of the Libyan NTC was with certain conditions. With the liberation of Tripoli and the death of Gaddafi, now is the time to revisit those conditions and ensure they are being addressed. Ensuring the role of women in post conflict reconstruction and the nation building process is an essential component of those conditions.

Recommendations

- The Libyan National Transitional Council should be encouraged to implement a quota to bolster the representation of women for current transitional government formation as well as for future parliamentary elections. Strong results have been achieved in countries that have recently emerged from conflict by using quotas to ensure the participation of women in newly created political institutions. In fact, countries recovering from conflict have managed to exceed stable nations in terms of female representation, and are within the top 30 countries for the number of women serving in parliament; Rwanda is number one. Libyan women recognize the limitations of quotas as well as the need for the most qualified individuals to fill posts. However, with the imbalance of power, they are calling for a quota as a temporary solution with a sunset clause to be included.

- The Libyan National Transitional Council should be encouraged to abide by international standards, with a particular focus on UN Resolution 1325. This can be a first step for the U.S. to support Libyan women to develop a national action plan for women. This can be done through programs aimed at cross country learning. This process has been successful in other post-conflict environments where women developed a National Action Plan on women's peace and security. In 2009, Liberia, Burundi and Sierra Leone convened in Freetown to learn from one another about the process of developing a National Action Plan. The process has also been helpful in more developed and stable environments. Civil society representatives from more than 15 European countries came together in Brussels in September 2009 to exchange experiences of the development of National Action Plans and to share recommendations. USIP is leading the U.S. civil society effort to develop a U.S. National Action Plan and is well positioned to support the Libyan women.
- Building on the need to develop programs focused on cross-country learning, U.S. funds dedicated to Libya should also focus on supporting the exchange of lessons learned between neighboring countries on personal status laws. Due to the policies in the Gaddafi regime and the current fighting, there are a large number of missing people. This leads to an increased number of female heads of households, and the laws governing divorce, marriage, inheritance, and property will be part of the much needed distribution of resources for women.
- The NTC should be encouraged to create specialized funds to promote the expansion of employment opportunities for Libyan female-headed households. This would not only serve to benefit women, but will contribute to economic growth and stability for the country as a whole.

Conclusion

In closing, I want to reiterate the crucial role of Libyan women in the success of the revolution, and likewise, in securing a successful outcome for the country's future. While women have successfully paved a path for themselves during the revolution, trends in post conflict countries demonstrate a strong probability of them being left out of the formal reconstruction and nation building process. The United States and the international community more broadly should support Libyan women during the transition as a way of investing in the welfare of Libya as a whole. Women in Libya have the educational capacity, but they need to be engaged in the economy, security and other vital elements in the country's reconstruction.

I want to once again express my appreciation for the opportunity to address the two subcommittees. Thank you for holding this hearing today on such an important topic.

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