



**United Nations Human Rights Council: 29<sup>th</sup> Session (15<sup>th</sup> June to 3<sup>rd</sup> July 2015)**

**GD Item 2/3**

**Monday 22<sup>nd</sup> June**

**Speaker: BHA Representative, Cordelia Tucker O'Sullivan**

**Cultural and Religious Diversity: An Inadequate Defence for Human Rights Abuses**

Thank you Mr President.

Discrimination against women<sup>1</sup> often stems from draconian religious and cultural norms – which are frequently defended by States in the name of cultural or religious preservation.<sup>2</sup> A failure to challenge practices which are harmful to women and girls threatens the universality of human rights in their extension and application.

Approximately 25.5% of the world's population live in countries with highly restrictive abortion laws,<sup>3</sup> which are often informed by cultural and religious traditions,<sup>4</sup> and fail to respect the right to self-determination of women.<sup>5</sup> The punishment for obtaining an illegal abortion is often radically disproportionate. For example, the most severe penalty in Europe is in Northern Ireland<sup>6</sup> – where it is punishable with up to life imprisonment.

State sanctioned violence is also often gendered. It has been reported that victims of rape in Saudi Arabia have been violently punished alongside their attacker.<sup>7</sup> This is a direct application of discriminatory sharia law.<sup>8</sup>

Social attitudes, according to which women and girls are inferior to men and boys, often ground harmful practices such as wife beating and other forms of domestic violence.<sup>9</sup> Europe and the West are not exempt from gendered social norms. Between 40-50% of women resident in the European Union have experienced 'unwanted sexual advances...and other forms of sexual harassment at work', and in the US, 83% of girls aged 12-16 have experienced some form of sexual harassment in public schools.<sup>10</sup>

Discriminatory laws, social attitudes, and cultural and religious practices often provide the foundation for a myriad of human rights abuses directed against women. Cultural and religious diversity does not absolve States of their duties as members of this Council to 'uphold the highest standards in the promotion and protection of human rights'<sup>11</sup>. We therefore urge the Council to exert pressure on those States whose penal code fails to respect the fundamental human rights of women.

Thank you.

<sup>1</sup> 'Discrimination against women' defined in article 1 in the Convention on the Elimination of All Forms of Discrimination against Women.

<sup>2</sup> Highlighted in the Report of the Working Group on the issue of discrimination against women in law and in practice, paragraph 16 A/HRC/29/40

<sup>3</sup> <http://worldabortionlaws.com/questions.html>

<sup>4</sup> The influence of, in particular, Christian sects on the legal permissibility of abortion is highlighted in the Report of the Working Group on the issue of discrimination against women in law and in practice, paragraph 19 A/HRC/29/40

<sup>5</sup> As enshrined in article 1 of the International Covenant on Civil and Political Rights (ICCPR).

The right to safe and legal abortion has also been defended in reference to a number of other human rights, such as the right to physical and mental health under article 12(1) of the International Covenant on Economic and Social Rights (ICESCR), the right to life under article 6 (1) of the ICCPR, the right to be free from cruel, inhuman, or degrading treatment under article 7 of the ICCPR, and the right to freedom of conscience and religion under article 18(1) of the ICCPR. For a comprehensive list of how the right to safe and legal abortion has been defended on human rights grounds, see:

<http://www.hrw.org/legacy/background/wrd/wrd0106/>

<sup>6</sup> The Abortion Act 1967 does not apply to Northern Ireland.

<sup>7</sup> The 'Qatif Girl' was sentenced to 200 lashings and 6 months imprisonment in 2007, story widely covered, including by the British newspaper, the Independent, on 29<sup>th</sup> November 2007: <http://www.independent.co.uk/news/world/middle-east/in-the-name-of-god-the-saudi-rape-victims-tale-760847.html>

<sup>8</sup> The Basic Law of Governance of Saudi Arabia identifies 'Almighty God's Book' as its constitution [https://www.saudiembassy.net/about/country-information/laws/The\\_Basic\\_Law\\_Of\\_Governance.aspx](https://www.saudiembassy.net/about/country-information/laws/The_Basic_Law_Of_Governance.aspx)

<sup>9</sup> The Report of the Special Rapporteur on violence against women, its causes and consequences exemplifies wife beating as being considered one of the African values in some societies in paragraph 16 A/HRC/29/27

<sup>10</sup> UN Women, Facts and Figures: Ending Violence Against Women, updated most recently in October 2014: <http://www.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures>

<sup>11</sup> A/RES/60/251, §9