

Aug-2018

Building Resilient Societies: The Relevance of UNSCR 1325 in Egypt's Political Transition

Salma Nasser

Follow this and additional works at: <http://vc.bridgew.edu/jiws>



Part of the [Women's Studies Commons](#)

Recommended Citation

Nasser, Salma (2018). Building Resilient Societies: The Relevance of UNSCR 1325 in Egypt's Political Transition. *Journal of International Women's Studies*, 19(6), 35-52.

Available at: <http://vc.bridgew.edu/jiws/vol19/iss6/3>

Building Resilient Societies: The Relevance of UNSCR 1325 in Egypt's Political Transition

By Salma Nasser¹

Abstract

United Nations Security Council Resolution 1325 and 1820 and the more recent 1888, 1889, 1960, 2106, 2122 and 2242 reflect a rights-based approach to human security with a focus on the prevention of violence against women and girls and fostering their active and meaningful participation in public life in conflict and post conflict contexts. This is a particularly important framework in the African context where, over the past 5 years alone, conflict has plagued over 18 countries and has had devastating socio-economic impacts on women and led to the weakening of justice systems and social norms, which at the best of times secure minimum protection for women. In 2011 the North of the continent boiled over with political unrest which culminated with civil war in some countries. A notable phenomenon is that even in countries that escaped the predicament of armed conflict, women were subject to many of the same threats. As such, while UNSCR 1325 addresses the protection of women in times of armed conflict and peace building, provisions are still relevant in cases of political transition such as that of Egypt where there have been serious challenges to security, justice and accountability. The institutional framework in place for protecting women in conflict calls for their integration into the ensuing decision making process and inclusive dialogue is the only way to develop resilient and effective institutions for societies in transition. This paper will present a case study of lessons that could be learnt from UNSCR 1325 in terms of protecting women and girls from violence; ensuring the mainstreaming of gender perspectives in national policies; and increasing the participation of women in decision-making and political transition processes.

Keywords: UNSCR 1325, women's rights, violence against women, political transition, Egypt, peace building

Introduction

One of the most common headline themes during the Arab Spring was how women have emerged as key players and how they were participating shoulder to shoulder with men during the revolution. However, the follow up on whether any of this translated into the institutionalization or mainstreaming of gender equality was nowhere near as much. An examination of the situation reveals a very bleak reality in terms of incidence of violence, representation rates and policy outcomes. The alienation of women and absence of inclusive restoration efforts undermine the likelihood of successfully managing the transition process and developing a resilient society.

¹ Dr. Salma Nasser is an Associate Professor of Political Science at Future University in Egypt and previously taught at the University of Bangkok. She served as Senior Gender Expert in the Cabinet of the Minister of International Cooperation in Egypt, Coordinator for the International Knowledge Network of Women in Politics in UNDP, New York and MENA Regional Team Manager for the UNECA African Women's Rights Observatory, Addis Ababa. The focus areas of her research have been political and economic development through a scope of gender equality, human capital development and inclusive governance. Dr. Nasser has also authored several key UN and academic publications on development, governance and gender.

There are few internationally recognized guidelines for states on how to manage transition processes and even less on how to integrate gender mainstreaming as an essential component of the process. In fact, in most cases women's rights and gender equality are seen as a secondary issue or a luxury that should be dealt with after securing more immediately pressing areas for countries in transition. One possible set of guidelines that can be used for reference are those in place to protect women in conflict and post conflict situations.

The relevance of conflict and post conflict management guidelines for the protection of women in transitional scenarios is threefold: First of all, much like post conflict scenarios, contexts of political transition represent a crucial turning point for societies to integrate new sets of values and to redefine their institutions - including those concerned with gender equality; Secondly, Political transition - which is defined as the dismantling of existing power structures - inevitably entails social fragmentation and a consequent need for inclusive reconciliation; And finally, political transitions have huge socio-economic impacts that lead to the weakening of justice and security systems which at the best of times secure minimal protection for women.

The guiding framework

United Nations Security Council Resolution 1325 (UNSCR 1325) calls on member states to take special measures to protect women and girls from gender-based violence particularly rape and other forms of sexual abuse. It also emphasizes member states responsibility to put an end to impunity and prosecute those responsible for crimes including those relating to sexual and other forms of violence against women and girls. The resolution also provides for the consideration of the rights of women through consultation with local and international women's groups and increased representation of women at all decision-making levels. Member states are to take measures to ensure the protection of human rights of women and girls particularly as they relate to the constitution, the electoral system, the police and the judiciary. Additionally they are to increase voluntary financial, technical and logistical support for gender sensitive training efforts. We can also refer to the more recent UNSCR 1889 (2009) that reiterates the importance of women's participation at all stages of peace processes as well as UNSCR 1820 and UNSCR 1888 on the protection of women from sexual violence in situations of armed conflict. These resolutions together represent the United Nations framework put forward to integrate and protect women in conflict and post conflict situations and collectively they aim at: Protecting them from violence in compromised security settings and ending impunity to crimes against women; including women in the reconciliation and rebuilding process; and addressing structural inequalities to ensure equitable representation in all decision making processes and institutions.

Though Egypt is not a post armed conflict situation, these provisions are of concrete relevance and importance in the post-revolution Egyptian context where there have been serious challenges to security, justice and accountability. This country study on Egypt will focus on the possibilities of making use of the ideas contained in UNSCR 1325 in the context of revolution and post-revolution, presenting an analysis of the situation since 2011. The objectives of this research are twofold: First, to examine the Egyptian context and present a case-study analysis of the relevance and potential opportunities for benefiting from the principles contained in UNSCR 1325 in contexts of transition; And second, to provide recommendations for future action towards creating an enabling environment, an effective institutional framework, reforming the role of main stakeholders and finding suitable financing mechanisms.

Context analysis

Egypt has been through two major political upheavals in the past six years: once in 2011 and again in 2013. These movements have had far reaching impacts on the political, social and economic realities of the Egyptian people – and women have been disproportionately affected. Ensuring effective protection for women and girls involves protection against human rights violations, access to justice and addressing structural inequities. These objectives can be accomplished through establishing the necessary institutional framework, creating an enabling environment, involving key stakeholders and securing financing mechanisms as needed to emulate the guidelines set forth in UNSCR 1325 and other relevant international instruments.

Institutional Framework

An appropriate institutional framework is one that establishes independent and effective mechanisms for the promotion of women's social, economic and political rights. The management of a successful right-based democratic transition depends largely on this institutional framework. An examination of the situation in Egypt reveals that while the necessary institutions exist they are not effectively involved in policy making contrary to the recommendations of the Beijing Platform for Action (BPFA) and UNSCR 1325 (Beijing +15 Survey, 2009).

Critical Area of Concern H of the BPFA commits governments to establishing "institutional mechanisms for the advancement of women" and relayed specific attention to national machineries. Over the years the United Nations Commission on the Status of Women (CSW) has addressed the role of national gender machineries and other mechanisms for gender equality and in particular their capacity to advocate for, support, monitor and evaluate the implementation of gender equality legislation, policies, plans and programs. The Banjul Declaration also emphasized that a critical ingredient for accelerating delivery of the Beijing and Dakar Platforms for Action was strengthening the institutionalization of gender equality through the provision of adequate resources, technical expertise and sufficient authority.

These recommendations are of particular value for the management of a successful phase of a rights-based democratic transition in Egypt. An inadequate institutional framework emerges among the prominent challenges to the successful implementation of UNSCR 1325.

The National Council for Women was established in the year 2000 by presidential decree as the main national gender machinery in Egypt but there are a multitude of other mechanisms in the country. In fact Egypt rated highest among African countries with 10 gender mechanisms which include departments, divisions and units in ministries and select committees, gender focal points/gender desk officers, divisions and gender groups (Beijing plus 15 Survey, 2009).

The establishment and use of multiple mechanisms was an important development because it spreads the work of promoting gender equality and women's rights across several institutions. However, an examination of the work of these mechanisms reveals ambiguous and overlapping mandates (ACGSD, 2010). It is not clear what their relationships with other structures are or what additional value they have brought to the work of promoting gender equality. This emerges as a particularly prominent issue given the transitional phase which Egypt is going through – the future existence and mandates of these institutions remains unclear.

A related problem is the lack of proper monitoring and evaluation systems. Overlapping mandates have included some or all of the following: policy formulation and analysis, legal reform, advocacy, coordinating program implementation, education, training and awareness-raising about gender equality. Monitoring and auditing are functions that are less commonly undertaken by

national mechanisms in the country (ACGSD, 2010). Finally, institutional mechanisms in Egypt remain restricted in terms of policy making, contrary to the recommendations of the BPFA and do not offer an effective framework for pursuing the goals of UNSCR 1325. The existing institutions need to be empowered, provided with clear mandates to avoid redundancy and be involved in the formulation of policy and legislation as well as granted access to the necessary resources.

Enabling Environment

The implementation of UNSCR 1325 refers to two broad aims with regards to women in situations of conflict and unrest: first, their protection and security as they are often the most vulnerable and severely impacted group at times of conflict; and second, ensuring their participation in the decision making process so as to guarantee the fostering of an inclusive and therefore sustainable environment. The perpetuation of an enabling environment for the implementation of UNSCR 1325 will require work on these two fronts.

A- Representation in the government and responsive policies

i. Representation

An examination of the participation of women as voters, candidates, members of parliament, ministers and members of constitutional assemblies in terms of numbers as well as related policy results from 2011 to date in Egypt shows that while women are capitalized on as a political weight during both revolutions and in elections they are systematically alienated from the ensuing decision making processes. Participation in decision-making positions and in all three branches of government as well as in the military and police forces is a most basic element in guaranteeing an enabling environment for women to take part in public life.

At the forefront of these institutions are the executive, judiciary and legislature. Although Egypt has a long history of women's rights yet it ranked 115 out of 144 for political empowerment on the 2016 Global Gender Gap Index. The first female minister was appointed in 1962 (Nagy, 2013). Ever, since women have been assigned one or two ministries in cabinet to women. In 2015, and for the first time five women ministers out of the 30 member cabinet were appointed – including portfolios such as the Ministry of Investment from which is typically assigned to men (Mohamed, 2015). There are 4 women ministers in Cabinet in 2017.

Egypt also needs to invigorate women's participation in the judiciary. The first female judge was appointed by the former President to the constitutional court in 2003 and since numbers have grown very slowly. In 2010 there were only 42 women in a total of 9,000 judges and women are still barred from serving as judges in many state bodies, including criminal courts (Tabikha, 2016). As a party to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Egypt has an obligation to eliminate gender-based discrimination in political and public life, and "in particular, shall ensure to women on equal terms with men, the right ... to perform all public functions at all levels." In 2015, only an estimated 0.5% of all judges were women. Civil society is calling attention to this low representation as well as the glass walls that keep female judges in consulting positions when they are involved in criminal courts (Tabikha, 2016). In June 2015, 26 female judges were sworn in bringing the number of women judges in Egypt to around 80, and the Justice Minister promised to continue the trend (Messieh & Gaber, 2015).

The 1956 Constitution granted women full political rights, and women ran for parliament in 1957 (Bouchetob, 2010). In 1979, Law 21 was expanded to reserve 30 parliamentary seats for women. In 2010, while women held 10.9% of the seats, there was not a single woman elected

outside the quota. This quota was set to expire in 2020, and so those results were concerning (IPU, 2010).

After the 2011 Tahrir Square events, women's rights deteriorated. Women were marginalized and excluded from decision-making positions. The 2012 constitution overturned pre-existing quotas and further marginalized women. It was drafted by a committee 7% of which were women (Hassan, 2015). Women acquired less than 2% of parliamentary seats (Khattab, 2013). In 2012, there was a quota that required parties only to include one female on their lists, which resulted in less than 10 women elected to the 498 member parliament (Coleman, 2012).

The 2014 constitution drafted by a committee of which only 10% were women, guarantees a 25% quota for local councils but does not assign a quota for parliamentary seats. The parliament is made up of 596 seats, with 448 seats elected through the individual candidacy system, 120 elected through winner-take-all party lists (with quotas for youth, women, Christians, and workers) and 28 appointed by the president. In 2015, a total 100 women ran on party lists for parliamentary seats, and 110 ran as independents of the 2,573 total candidates. As a result, 75 women were directly elected and the president appointed an additional 14 (IPU, 2016) (almost 15% of the seats, which is a historic high for the country) (UN Women, 2016).

ii. Gender sensitive policies

The first element to be referred to in this regard is the constitution. Since 2011, Egypt has had two new constitutions: 2012 and 2014. Not a single provision in the 2012 constitution explicitly prohibited discrimination based on gender, religion or ethnicity nor is there any reference to commitment to end any kind of discrimination. The constitution did not mention women except in one article 10 that stated, "The family is the basis of the society and is founded on religion, morality and patriotism. The State is keen to preserve the genuine character of the Egyptian family, its cohesion and stability, and to protect its moral values, all as regulated by law. The State shall ensure maternal and child health services free of charge, and enable the reconciliation between the duties of a woman toward her family and her work. The State shall provide special care and protection to female breadwinners, divorced women and widows" (Constitution of the ARE, 2012).

The 2014 constitution was an improvement for women. While the Constitution of 2012 did not stipulate equality between men and women, the 2014 Constitution explicitly states this equality. The new constitution declared that "the state guarantees the achievement of equality between men and women in all civil, political, economic, social, and cultural rights in accordance with the provisions of the Constitution". The article also affirmed the "state's commitment to protect women against all forms of violence". While no parliamentary quota was assigned to any group, article 11 states that "the state shall seek to take necessary measures to guarantee adequate women representation in parliamentary bodies, along the lines identified by the law" and a 25% gender quota was assigned to local councils. The 2014 Constitution included articles that endorsed the concepts of citizenship and equality among Egyptians and criminalized discrimination, a clear gain for Egyptian women. Still, it demonstrated several shortcomings in addressing women's rights, among these was the lack of any outline regarding gender mainstreaming mechanisms. Finally, Article 93 of the Constitution stipulates that "the state shall commit to international agreements, conventions, and charters that Egypt ratifies, and they shall have the power of law after their publication, according to set situations" thus placing international conventions and charters on an equal footing with Egyptian law rather than granting the former a higher status (Constitution of the ARE, 2014). This means that international laws are subject to the principle of

'the subsequent legislation amends its predecessor'. As such, should a law amending the rights and freedoms stipulated in these agreements or charters be enacted, the judge will implement the new law and consider anything that preceded it null and void.

In 2015 the country adopted a National Strategy to End Violence Against Women and two years later the National Strategy for Women's Equality 2017-2030 was launched but still this progress falls very far behind international standards. The latter is guided by the SDGs and aims to address the most vulnerable echelons. Implementation and monitoring mechanisms are not clearly identified in the either document.

B- Security and access to justice

Guaranteeing the safety of women at times of conflict and unrest is the central theme of UNSCR 1325. While sexual harassment has become a chronic malady in Egypt, there was an explosion of gender based violence after the 2011 revolution initially thought to be a result of the deteriorating security situation by outside observers. However, the collapse of security alone does not explain the violent assaults that took place in Egypt since 2011. The phenomenon of the political use of sexual violence is a more plausible explanation. In this regard the guidelines offered by UNSCR 1820 and UNSCR 1888 on the protection of women from sexual violence in situations of conflict could be used as references.

While women were comfortably part of the 2011 and 2013 revolutions, the scene for their participation was completely different post-revolution. Using sexual violence to deter women's participation in protests increased under the Muslim Brotherhood. Reports of sexual assault during protests became very commonplace and kept increasing in violence. During the second anniversary of the January 25th 2011 revolution at least 19 cases of assault were reported (N.M, 2013). A trend of organized mass sexual assault against women in protests became evident and activists reported that this was part of an indoctrinated and organized effort to break the opposition. Assaults against women compelled the formation of "rescue groups" to protect women who want to participate in demonstrations and these rescue groups themselves became targets.

Whether systematically used to achieve political ends or opportunistic and arising from impunity, sexual violence is a major issue during times of political unrest/transition and could be managed in the same way UNSCR 1325, 1820, 1888 and 1889 propose the management of sexual violence in cases of armed conflict.

Studies reveal that women's access to justice in Arab countries has sharply decreased after 2011 (Varieties of Democracy Institute V-dem). In the absence of access to justice, women are unable to have their voice heard, exercise their basic rights, fight against discrimination and harassment or even be active participants in political and social spheres. There are numerous obstacles for women victims who could and would like to participate and testify in court cases against perpetrators: problems of victim protection, procedural obstacles that discourage reporting and processing, social stigmatization of victims, absence of understanding and assistance by the authorities to the women who want to testify. This leads us to another vital element for implementing UNSCR 1325 which is the installation of appropriate monitoring and reporting systems which Egypt currently lacks. This is particularly important in the context of a patriarchal society which often re-victimizes and unfairly labels women and particularly those that have suffered from sexual violence.

Key stakeholders and National Dialogue

Beyond the immediate threat of gender-based violence in transition situations, the framework put forward by these resolutions could also provide a reference as to how to integrate women and the understanding of gender equality in the process of democratic consolidation. Both normative and empirical analysis reaffirms failure to guarantee equitable representation for women in decision making resulting in an institutional and policy framework that does not protect women. Ensuring broad participation and an inclusive political system is a basic necessity for the creation of a peaceful, resilient and democratic state. As such, is it vital to examine the role of the various stakeholders that must be involved to guarantee the protection and enabling of women in the Egyptian context.

In the aftermath of decades of State Feminism, that was instated in Egypt by the 1952 revolution, whereby the state became responsible for guaranteeing equality for women with no independent bodies to advocate women's equality, women lacked independent representative organizations and remained captive of the state's political needs. With the gradual process of liberalization came the gradual proliferation of new forms of women's groups and associations both formal and informal. These structures developed, struggling with the problems of limited democratization that prevailed in the Egyptian political system (Hatem, 1992). Although women's rights were not at the top of the Mubarak agenda, since the fall of the Mubarak regime and the legacy of state feminism, women rights groups have been further de-legitimized and thrown out of the legal framework. The strong affiliation between the former President's wife and the National Gender Machinery left the National Council for Women branded as a remnant of a rejected regime. In the mean time the work of civil society organizations was heavily restricted by the post revolutionary regimes under the banner of stability. The final major actor that will be examined in this work is political parties. Political parties are the true gatekeepers to the political arena and they are also the single stakeholder whose role has been expanded in post revolutionary Egypt.

A. National Gender Machinery

Before the 2011 revolution, NGOs worked in close coordination with the National Council for Women (NCW). In fact for more than a decade, most work carried out by NGOs on mainstreaming women's rights was attributed by the media to the NCW and Suzanne Mubarak. The NCW was established by a Presidential decree in the year 2000 and it is affiliated with the President of the Republic. The President's wife, Suzanne Mubarak was acting President of NCW (NCW Mandate, 2000).

With the ousting of the former president, the situation of the NCW changed somewhat. First of all, it had lost the championing of the president's wife and second, its association with her person undermined its credibility among many political factions. All the same, its mandate was not changed but the NCW was sidelined and came into collision with the Muslim Brotherhood government on several occasions. At the 57th session of the CSW on the Prevention and Elimination of Violence against Women, Egypt's speech was delivered by former Muslim Brotherhood President Morsi's assistant for political affairs. Her taking over the opening speech was against protocol as the CSW speech is supposed to be delivered by the representative of the NCW – the national gender machinery and the relevant authority for representing the national stance on gender issues. The delegation which was headed by the President of the NCW was criticized by the Muslim Brotherhood and other extremist groups for endorsing the final declaration of the CSW. In fact, the 57th session of the CSW was criticized since February 28, 2013 – even before the session took place (Atlantic Council, 2013). The Muslim Brotherhood

government referred to topics not mentioned at all in the CSW document, which is concerned mainly with the theme of violence against women. The NCW responded to these statements by issuing clarifications to dispel the accusations that the document contradicts Islamic Sharia and the principles of Islam. The Organization of Islamic Conference (OIC) representative to the UN issued a statement on March 11 2013, during the 57th Session of the CSW, praising the efforts of the CSW for combating and preventing violence against women in the Islamic world. In addition, the OIC stressed that preventing discrimination against women, promoting their status and empowering them economically, socially and politically is key to prevent and combat violence against women, reiterating that the traditions and customs, practiced in the name of religion, such as child marriage and FGM, are violations of the Islamic religion that honors women (Atlantic Council, 2013).

However, the backlash to NCW's participation in the CSW persisted among Muslim Brotherhood and other fundamentalist political organizations including Salafi groups which called upon the Shoura Council to "quickly discuss a new law for the formation of the NCW which would put it under the Council's auspices" (Atlantic Council, 2013). The NCW responded that the council's establishment was compatible with the international community's desire to find a national mechanism tasked with following up with women's issues and coordinate with other executive powers.

Following the second wave of revolution, the NCW began to reassume its position as a main player. Abdel Fatah el Sisi expressed his support for the NCW on several occasions and declared 2017 the year of Egyptian women based on recommendation from the NCW. However, the state appears more keen to work on social justice and low-income brackets, while avoidant on more political topics that they perceive as compromising stability and security.

B. Nongovernmental organizations

Nongovernmental organizations have championed women's rights in Egypt since the early 1900s, lost presence under Nasser's rule and flourished again under the auspices of Suzanne Mubarak. Women's rights organizations and NGOs registered various achievements under the Mubarak regime including the amendment of personal status laws, spreading awareness and fighting FGM. Too often, these issues were portrayed in the media and closely associated by people with the former President's wife. In fact, some argue today that this association has in fact undermined the voices and credibility of these organizations post-revolution, which are often foreign funded and therefore being accused of perpetrating western agendas in collaboration with supporters of the Mubarak regime.

According to the Head of the General Union for Civil Society Associations and Foundations, the number of registered NGOs went up from 34,000 to 46,000. Women's groups and organizations were no exception. However, this has not automatically translated into broader or more effective participation of these groups in the decision making process (ICNL, 2012).

According to Amnesty, "over the past three years, Egyptian authorities have orchestrated a targeted campaign against human rights organizations. Twenty-four have been banned from travel, and seven organizations and ten individuals have had their assets frozen". The most recent blow came with the Presidents' signing of a new law governing the work of non-governmental organizations in May 2017. The law was approved by parliament in November 2016 and severely restricts the work of NGOs and has been labeled by local and international civil society as an unconstitutional attempt to "annihilate human rights groups" (Amnesty, 2017). Law 70 of 2017 bans field research and surveys without government permission – breaching the law could lead to

up to five years in prison. The law also grants authorities the power to dissolve NGOs, dismiss their boards of administration and subject staff to criminal persecution if found to be "harming national unity and disturbing public order". NGOs have been given one year to comply or face being dissolved.

B. Political parties

One of the most prominent gains attained by the revolution is that it ushered in a new era of political dynamism and cultural activism. Before January 25th the number of political parties in Egypt stood at 24, by 2012 it had almost tripled: 67 registered parties competed in the parliamentary elections. By 2015 there were more than 100 registered political parties in Egypt which were decreased to 83 in 2015 (Sanyal, 2016).

Political parties are the primary and most direct vehicle through which women can access elected office and political leadership, therefore, the structures, policies, practices and values of political parties have a profound impact on the level of women's participation in political life. Unfortunately, political parties are generally not considered open or transparent organizations. Despite rhetoric about openness to women's participation, parties remain dominated by men. Women have encountered barriers to equal participation in the executive and decision-making structures of their parties, either because they are seriously outnumbered by men or because they require resources that women do not readily have at their disposal. Women as well as men are frequently challenged in their ability to initiate legislative proposals not condoned by their parties. As such, the presence of few women in political parties often translates into silence and joining the mainstream agenda for the sake of party consensus.

Egyptian legislation pertaining to the inclusion of women in political parties does not rectify this situation. Parties are only required to "include women" in their candidate lists, with no quota or list rank identified. Without stipulations on the horizontal or vertical inclusion of women, political parties tend to relegate a small number of female candidates at the very bottom of their lists which does not give women a real opportunity to be fielded as candidates.

Financing Mechanisms

The last element is to secure appropriate financing mechanisms by making amendments to public expenditure and national budgets (gender responsive budgeting); engaging civil society and attracting the private sector; and gearing international development assistance to support gender mainstreaming.

Egypt's situation, like other North African countries, is particularly precarious at this point time with regards to available finance. The Egyptian economy was one of the most dynamic during the five years or so preceding the 2011 revolution. The revolution came at a high price: depletion of foreign currency reserves, collapse of the tourism industry, export etc. Government funds have been steadily dwindling since while the private sector was paralyzed. And international funding for gender mainstreaming has decreased post revolution (Elagati, 2013). During this time of economic crisis and multiple states of emergency in the region, funding for development, peace and gender equality is a limited good.

A- Public expenditure and the national budget

Gender sensitive budgeting is not only an important measure for achieving the aims of UNSCR 1325 but is actually referred to by the CEDAW which outlines that the raising and

spending of public money be non-discriminatory and consistent with substantive equality between women and men, as autonomous possessors of rights. This implies that a gender perspective on budgets should be primarily concerned with the direct benefits from, and contributions to, government budgets that women and men get as persons in their own right. The 1995 Beijing Platform for Action (BPFA) also refers to the need to conduct gender analysis of budgets, and to adjust public spending to ensure equality between women and men.

Egypt had previous experience in this regard when a project named “Women in the National Budget of Egypt” began in 2006 (a pilot project started as early as 2001) with the technical support of the then UNIFEM and the financial support of the Netherlands. As part of the project, the National Council for Women, in cooperation with the Ministry of Finance established the Equal Opportunity Unit within the Ministry of Finance. The Equal Opportunity Unit serves as the link between the National Council for Women and the Ministry of Finance and is tasked with promoting gender equality and monitoring its progress in the workplace as well as eliminating discrimination against women. The project was a success and provides a starting point in the institutionalization of gender budgeting in the state apparatus that could easily be built on now (OECD, 2009). The Project succeeded in introducing the concept of gender budgeting within the Ministry of Finance. The most important achievement of the project is the production of performance based gender responsive budget books in 95% of Egypt governorates.

In 2005 the Egyptian government enacted Law 87, which states that the budgeting process should transition from line item budgeting to performance based budgeting (Khatab and Al Shiekh, 2010). The 2008/09 fiscal year marked the beginning of the institutionalization of gender budgeting, as the draft budget circular stated that budgets should reflect the needs of all members of the Egyptian family men, women, and children to ensure social equality. In 2009/10 fiscal year, the budget circular instructed ministries and other government bodies to prepare performance based budgets and to provide sex disaggregated budget data analyses (AlBana, 2010). Furthermore, the 2009/2010 budget law added protection for gender specific expenditures, as Article 11 of the law requires all entities in the national budget commit to any expenditure relating to social justice or safeguarding children’s rights in a way that promotes the application of gender responsive budgets. It also prohibited transferring funds allocated to gender related items to other budget items without official permission from the Minister of Finance (Egypt Ministry of Finance, 2009).

Gender budgeting continued through the 2010/11 fiscal year, when Egypt implemented its first gender responsive performance-based budget (OECD, 2010). The Budget Circular of 2010/2011 included a provision on Gender Responsive Budgeting according to Law 53 of 1973 in Article 6 And affirms that GRB to be upheld in Egypt’s Budgets (Kolovich & Shibuya, 2016). In addition, UNWomen supported the National Council for Women, to document that Gender Responsive Budgeting National Process in the 2007-2012 and draft a proposed national plan for the next cycle. On the local and sectoral levels, gender responsive budget templates have been developed and adopted by the local budget department at Ministry of Finance. Moreover, program based gender responsive budgets have been formulated in 16 governorates in 5 sectors (Education, Health, Manpower, Social Security, Food Security).The local level budget employees at the Ministry of Finance produced a gender responsive expenditure analysis report on the 2010/2011 sectoral services budgets (Ibid). However, since that time, the status of Egypt’s gender budgeting initiative is unclear.

B- Private sector

Having suffered substantial losses due to the lack of security and prevailing turmoil, the private sector was badly hit, with little improvement in the situation and the persistence of political instability most investors – both local and international decided to take their investments elsewhere. However, there is little evidence to suggest that the private sector in Egypt has been actively engaged in financing for gender equality – and much less so for gender, peace and security. The private sector, however, provides an important entry point for gender equality by improving women’s capacities to engage in existing economic opportunities. The economic independence of women translates into more political agency.

C- International Development Assistance

Both the CEDAW and the BPFA specifically refer to the role of international financing in protecting women. According to paragraph 358 of the BPFA “to facilitate implementation of the Platform for Action, interested developed and developing country partners, agreeing on a mutual commitment to allocate, on average, 20% of official development assistance and 20% of the national budget to basic social programs, should take into account a gender perspective”.

While international attention has been brought to the broad political and economic issues facing countries in transition, gender issues seem to have been sidelined. One of the main means of external provision of funding is official development assistance (ODA), mostly in direct funding from donor governments to developing country governments. In addition to financial flows, aid also includes technical cooperation. The balance between donor objectives and ownership by the recipient country is delicate and local ownership as well as transparent and participatory funding provisions are needed in order for the recipient country to plan and program its work. Funding as well as any other provision of support needs to be reliable and predictable as such, given the political instability and turmoil in Egypt, many have been reluctant to work with Egypt since the revolution. And those that have provided ODA to Egypt have focused on areas that are perceived of more urgency than the protection of women’s rights.

In fact since the revolution, not only have there been little special allocations for the protection of women in this phase of political turmoil, but additionally international support for gender issues has significantly waned. For example, according to Marta Agosti, the head of the anti-FGM program for the U.N, there has been a 75% cut in Egypt’s FGM-related donor funds to the United Nations (Mukherjee, 2014). As an important source of finance particularly in light of the collapse of the national economy, international development agencies and partner countries need to recognize the importance of and mainstream gender - and particularly the support and protection of women in the context of political unrest and transition – into their agendas and bring the issue to the table when not raised by national counterparts.

Conclusion and recommendations

The Arab Spring was brought on and sustained by people’s aspirations for human rights and social justice and while the uprising was able to overthrow regimes that had lasted for decades, gains in social justice remain questionable and most particularly for women. The protection and participation of women are crucial to democratic development and building resilient societies. Sadly, in contexts of political transition where countries are taking the first tentative steps towards democracy, ensuring women’s political participation may be dismissed as less important than

establishing new political systems and conducting elections and national resources in these situations may be extremely limited.

An examination of the Egyptian status quo demonstrates a withdrawal of women from decision and policy making institutions and processes steering their country's quest for democracy following strong participation in the mass uprisings of 2011 and 2013. The rise of different political forces across the country and the region with different approaches towards women's political participation and the lapse in security, confront women with an array of challenges in both the socio-economic and political spheres. These issues are exasperated in an environment of urgency where women's rights are relegated as a posteriority.

The prerogatives laid out by the normative instruments for the protection of women and girls in conflict or post-conflict situations could be of use for countries going through transition. Transition is a critical period to be considering gender equality – not only because of the fragile security environment in which women are not protected, but also because the establishment of a resilient and democratic state requires inclusive institutions and legislation. Contexts of political transition offer a unique opportunity to redefine state policies and institutions. The inclusion of women in the consolidation process is key to building and maintaining national consensus and resilient institutions. Failure to account for all societal groups and particularly women – half of the population – is a recipe for fragile states.

Possible strategic policy options based on recommendations offered by UNSCR 1325 and the later resolutions that would be suitable both in terms of expectations of major stakeholders as well as feasible to implement in the context of Egypt include the following:

Setting up an effective institutional framework

The successful implementation of UNSCR 1325 requires that the constitution and all elaborating legislation outline broader base participation in decision making. Particular recommendations can be made to account for women effectively when drafting a constitution. Some countries include reference to policy based on equality in the preamble. Later in the text of the constitution, there must be specific mention of the principle of non-discrimination and the state's commitment to taking affirmative action to ensure the prevalence of equality. There should be reference to equality before the law, the right to equal pay for work and explicit criminalization of discrimination between men and women. Finally, addressing cultural distortions regarding women's role in society is also good practice.

Specific laws guaranteeing gender equality and banning discrimination are also necessary to guarantee the protection of women in all spheres of public life. An adequate legal framework should incorporate particular provisions criminalizing the various forms of violence against women in both the public and domestic spheres. The issue of sexual harassment must be addressed in various contexts.

Additionally, a National Action Plan for Gender Equality should contribute to the creation of an appropriate institutional framework for the implementation of the CEDAW and other international and regional agreements aimed at safeguarding the rights women. As such it is recommended to develop the 2017-2030 National Action Plan to include: annual reviews of both processes and policy outcomes to ensure alignment with global charters on women's rights and gender equality; initiatives for the collection of sex-disaggregated data and gender statistics; assigning the existing Gender Units with clear mandates and developing effective synergies between them; and engaging of gender expertise in civil society. In order to guarantee the

sustainability of these initiatives, a transparent and effective monitoring and evaluation mechanism must be installed.

Creating an enabling environment

Governments should enhance women's participation as actors inside and outside the government by integrating a gendered perspective throughout all levels of governance through training civil servants in various departments on gender equality issues such as: the concept of gender, international and domestic legal framework on gender equality, gender mainstreaming, institutional mechanisms for gender equality and by integrating gender equality principles in all programs and projects.

CEDAW's committee review of Egypt in January 2010 recommended "that the Convention and related domestic legislation be made an integral part of the legal education and training of judges, magistrates, lawyers and prosecutors...so that a legal culture supportive of the equality of women with men and nondiscrimination on the basis of sex is firmly established in the country" (CEDAW Egypt Country Report, 2010).

Training is also necessary for people who work in the media to encourage them to publicly highlight issues faced by women, monitor gender commitments made by politicians and report progress (or lack of) that women are making.

Inclusion and representation of women at all levels of governance is the pillar of an enabling environment. In this regard, the implementation of quotas emerges as a very strong recommendation. Quotas across not only North African countries but across the continent as a whole have contributed substantially to improving women's parliamentary representation and are perhaps the most viable mechanism for gender mainstreaming in politics in contexts like Egypt.

Beyond quotas, parties and candidates must be given fair chances to compete and campaign for their ideas: access to the media and adequate resources is crucial. Unfair incumbency advantages should be addressed and the use of state resources that are not made available to all electoral candidates should be prohibited. Another viable recommendation encouraged by UNSCR 1325 would be training women candidates who need to be more competitive than men to win, in various areas to hone skills such as public-speaking, campaign planning and fundraising.

Women's participation in parliament should not be measured in terms of numbers alone. Parliaments are pillars of democratic governance, with a critical role in spurring and sustaining national action. They can be powerful agents of change, particularly during and after times of crisis. Viable democracy and open society depend on effective lawmaking, oversight and representation — the three chief functions of parliaments. Beyond aiming to secure high participation rates for women in parliament, countries must aim to establish gender-sensitive parliaments which respond to the needs and interests of both men and women in their structures, operations, methods and work. The establishment of a gender-sensitive parliament involves not only the inclusion of but also the promotion of women to key positions within the parliament and the pursuit of gender equality through legislation and debate by routinely assessing legislation from a gender based perspective. Another mechanism that has proven its success in fostering gender sensitivity in the legislature is the creation of dedicated gender mainstreaming infrastructure within parliament such as women caucuses which act as incubators for gender sensitive legislation. The organization of a multi-party women's caucus to advocate and protect women's rights within parliament, lobby for gender sensitive legislation, push issues of importance to women to the forefront and monitor the work of the executive branch through a gender specific lens has proved to be a good practice all over the world.

Finally, there must be an end to impunity in cases of abuse of women and assurances of timely justice. One relevant good practice is introducing the broader concept of community policing. In order to guarantee women's access to justice and prevent their victimization in times of unrest it is important to mainstream their presence among security forces and to increase the number of women in military and police forces and promote women to leadership positions in military and police structures. Introducing the principle of gender equality and ensuring the practical application of this principle within the Ministry of Interior and the Military is also an important undertaking. In fact, the creation of an enabling environment requires the integration of a gender perspective throughout all levels of governance.

While international and regional instruments have outlined the necessity for the protection and integration of women, more pragmatic and responsible methods for monitoring and evaluation of these goals is needed. Ten years after UNSCR 1325 was passed, UNSCR 1889 called for monitoring and accountability mechanisms to respond to the goals set out in UNSCR 1325. The UN secretary-General Ban Ki-moon submitted on 22 April 2010 a set of 26 (plus) indicators for use at the global level to track implementation of 1325, however, these indicators did not take contextual information into consideration (UN Strategic Results Framework on Women, Peace and Security: 2011-2020). It is vital to address the non-reliability of data collected. There is a need for a more effective approach to collecting data on women's representation in peace processes, negotiations and decision making.

Key stakeholders

The primary aim here would be broadening participation in governance and decision making not only to take women into account but to be as inclusive as possible, involving various stakeholders in society and engaging and empowering civil society. Unfortunately, in Egypt we see a reverse of this trend. The role and capacity of civil society, at present, not only regarding its participation in the general decision making process but specifically its involvement in protecting women in times of political unrest, should be of particular significance. It is important to understand in this context that often security has different meanings to women than it does for men and goes beyond context of conflict. Adequate protection of women as per UNSCR 1325 requires the adoption of a much broader notion than a lot of security institutions use: it means protecting and guaranteeing women's ability to move, work and participate in public life safely. Civil society expertise and grass roots understanding is necessary to develop responsive solutions.

Additionally, in the current political context, where women's representation in the governmental sphere is markedly low, it becomes imperative to involve and give a voice to civil society organizations. Capitalizing on the increasing political pluralism and dynamism that Egypt has witnessed since the revolution emerges as one of the clearest opportunities. Women's organizations should be included in designing, monitoring and evaluating of indicators that measure the impact of transition on women. The perception that these foreign funded organizations must be perpetrating western agendas needs to be rectified and the media should work to shed light on the importance of these organizations in the current period and restore people's confidence in these organizations as a step towards mainstreaming their presence.

Another vital stakeholder in the process is political parties. While NGOs have been heavily restricted, the number of political parties has grown. This represents an important opportunity as these political parties are truly the gatekeepers to women's involvement in politics. As such it is recommended to foster more representative parties by providing incentives to nominate more women; Address gender equality in parties' legal frameworks possibly including the adoption of a

statement on gender equality in the party's founding documents, adopting measures, including internal quotas that ensure women's participation on governing boards and setting targets for participation in party conventions. Among other good practices in this regard are holding separate forums for women delegates at the conventions, establishing women's wings and sections within parties, which should be formally integrated into the party structure, with defined roles and responsibilities and appropriate funding if needed and ensuring that gender is mainstreamed into all of the party's policies.

The National Council for Women (NCW) is the national gender machinery and should be empowered to fulfill its extensive mandate. Despite challenges in carrying out its functions effectively, the NCW must be recognized as a major stakeholder in the protection of women's rights. Level and effective coordination between the NCW and other government organs is essential to mainstreaming gender equality in national policy and legislation and to track progress. One of NCW's committees is the Legislative Committee. It aims to "examine laws, regulations and decrees related to women, and to propose any amendment deemed necessary to express opinions on draft laws, regulations, and decrees related to the objective of NCW [and] to follow up on the enforcement of laws, regulations and decrees to ensure that they live up to the principle] of gender equality", as was stipulated in the Egyptian Constitution. In other words, NCW's mandate grants it the power to play an integral role in changing laws pertaining to women.

Egypt also has a multitude of other mechanisms including gender units in various government agencies. The establishment of these mechanisms is doubtlessly a step forward, however, they need to be activated, assigned clear mandates, properly linked through effective synergies and systematically monitored and evaluated. As per UNSCR 1325 and the later resolutions the establishment of such gender units within the Military and Police Forces is important for the protection of women. Security officials need training on women's rights. The National Police Academy should develop and deliver a mandatory course on women's rights for all new recruits. The government should establish mechanisms to increase women's participation in both the Armed Forces and the Ministry of Interior. An independent civil society should work with the Police in developing community-based initiatives as well as monitor the contribution, support, and performance of security forces and provide feedback and recommendations to the Ministries of Interior and Defense. The objective should be to improve responsiveness towards citizens, especially women.

Financing mechanisms

It is important for countries to realize in times of crisis and transition that financing for gender mainstreaming is not a luxury or a peripheral item on the agenda but rather a core prerequisite to sustainable economic recovery and successful political transition. Government budgets should be constructed and implemented in ways that respect, protect and fulfill human rights. In order to achieve this gender analysis of the budget should be institutionalized and gender issues integrated into budget in both governments and civil society. Ensuring the adequacy of public expenditure for the realization of de facto gender equality requires increasing the presence as well as capacity of women and reforming the budget decision-making processes to make it more transparent and participatory. Women must be involved in all phases of budget decision-making including formulation, approval, enactment into law, implementation and auditing and evaluation. Gender sensitive budgeting is directly linked to government accountability and result-based budgeting; since conducting an analysis, including a gender analysis, of budget outcomes will

result in measuring efficiency and effectiveness of governments' actions, part of a new public management framework.

The starting point for this would be the collection of gender sensitive data on budget allocation. The 2006 "Women in the National Budget of Egypt" project provides a starting point in the institutionalization of gender budgeting in the state apparatus that could easily be built on now (OECD, 2009). A possible strategy utilizes a framework of economic governance, combining the principles of good governance with good economic theory, and which incorporates the care economy into an integrated analysis coupled with a rights based perspective to ensure that Government and decision makers are accountable to the women's constituency for engendering economic governance and that women are able to claim their economic rights effectively.

Besides public expenditure, it is important to recognize the capacity of the private sector to regulate new and upcoming markets and their gendered impact, especially in environments of political volatility: New investments in the markets of post-crisis (including transition) and post-conflict countries can help provide opportunities to empower vulnerable groups and targeted capacity-building activities can form part of the activities and projects related to resolution 1325. The government should provide incentives for the private sector to invest in the protection as well as political and economic empowerment of women. Private investment can provide an important entry point for gender equality by improving women's capacities to engage in existing economic opportunities. In addition to being used as a reintegration mechanism or for the creation of new opportunities for women, private sector funding can be used for women, peace and security-related research.

However, it remains the case all over the African continent that domestic financial resources are mainly drawn from private savings and government revenue (Bhushan & Samy, 2010). Gross domestic saving rates are low and unstable and are not intermediated towards productive investment. Firms that generate savings retain their earnings principally for self-investment.

Finally, it is important to engender development aid policies and to ensure that women benefit from ODA, not only in projects dealing with social sectors such as education, and health; but also in the gender blind economic sectors such as transport, finance rural infrastructure, and in this situation: security. As an important source of finance particularly in light of the collapse of the national economy, international development agencies and partner countries need to recognize the importance of and mainstream gender - and particularly the support and protection of women in the context of political unrest and transition - into their agendas and bring the issue to the table when not raised by national counterparts and not dismiss it as an issue to be dealt with later. It is vital that gender is integrated into reform agendas from the very beginning.

References

- AbuZayd, Gehan, "In search of political power: women in parliament in Egypt, Jordan and Lebanon" International IDEA, accessed July 2017, <http://archive.idea.int/women/parl/studies1a.htm>
- AlBana, Muhammed, "Egypt's Gender Budgeting Initiative: Where we stand now and what's next?", Egypt Ministry of Finance, 2010
- Tshe Arab Quota Report: Selected Case Studies, Institute for Democracy and Electoral Assistance. 2004. http://www.quotaproject.org/publications/Arab_Quota_Report.pdf.
- Bouchetob, Sarah, ed. "Women Journalists: Partners in Trade Union Leadership." *Gender Fact Sheets: Middle East and Arab World*. International Federation of Journalists. 2010. Page 5.
- Bhushan, Aniket and Yiagadeesen Samy, "Enhancing Domestic Resource Mobilization for Effective Development: The Role of Donors" NSI, 2010 <http://www.nsi-ins.ca/wp-content/uploads/2010/04/Enhancing-Domestic-Resource-Mobilization-for-Effective-Development-DonorPaperFINALPOST.pdf>
- CEDAW Egypt Country Report, 2010
- Coleman, Isobel. "Are Quotas for Women in Politics a Good Idea?" The Atlantic. January 11, 2012. <http://www.theatlantic.com/international/archive/2012/01/are-quotas-for-women-in-politics-a-good-idea/251237/>
- Constitution of the Arab Republic of Egypt 1971 (as Amended in 2007) Article 62. ; Law No. 38 of on the Egyptian People's Assembly (as Amended in 2009) Article 1(1,3), 2, 3
- Elagati, Mohamed, "Foreign Funding in Egypt After the Revolution", AFA, FRIDE, Hivos, 2013 http://fride.org/download/wp_egypt.pdf
- Elson, Diane "Budgeting for Women's Rights: Monitoring Government Budgets for Compliance with CEDAW," United Nations Development Fund for Women, 2006 http://unrol.org/files/MonitoringGovernmentBudgetsComplianceCEDAW_eng.pdf
- Global Gender Gap Report 2016, World Economic Forum, 2016 http://www3.weforum.org/docs/WEF_GenderGap_Report_2016.pdf
- Hassan, Mozn. "Women's Rights in the Aftermath of Egypt's Revolution." EU Spring. 2015. Working Paper.
- Hatem, Mervat F. "Economic and Political Liberation in Egypt and the Demise of State Feminism," International Journal of Middle East Studies, Vol. 24, No. 2 (May, 1992), pp. 231-251, Cambridge University Press
- Kenyon, Peter "Female Judges In Egypt Battle Against Old Ideas," NPR, April 03, 2010, <http://www.npr.org/templates/story/story.php?storyId=125501126>
- Khatab, Abdullah Shahatah and Saleh AlShiekh "Gender Responsive Budgeting in Egypt Analytical Reading", Egypt Ministry of Finance, 2010
- Khatab, Moushira, " Heroines of the Arab Spring Unrewarded: Egypt's Case " Women in Democratic Transitions in the MENA Region, Global Women's Leadership Initiative. Woodrow Wilson International Center for Scholars: 2013. Page 29.
- Kolovich, Lisa & Sakina Shibuya, "Middle East and Central Asia: A Survey of Gender Budgeting Efforts", IMF Working Paper Strategy, Policy, and Review and Research Departments, 2016 <https://www.imf.org/external/pubs/ft/wp/2016/wp16151.pdf>
- Mansour, Muhammed "Memebers of the Constitutional Committee of 50 Announced", Egypt Independent, September 1 2013. Accessed July 2017 <http://www.egyptindependent.com/members-constitutional-committee-50-announced>

- Megahed, Horreya "Egyptian Women and the New Constitution", International Alliance of Women, 2 May 2014 <http://womenalliance.org/egyptian-women-and-the-new-constitution>
- Messieh, Nancy & Suzanne Gaber "A Win for Women in Egypt's Courts", Atlantic Council, July 22 2015
- Mohamed, Aly "Who are Egypt's new Ministers?" Atlantic Council, March 6 2015 <http://www.atlanticcouncil.org/blogs/menasource/who-are-egypt-s-new-ministers>
- Mukherjee, Adiroopa, "Female Genital Mutilation in Egypt", University of Minnesota, 2014 <http://digitalcommons.morris.umn.edu/cgi/viewcontent.cgi?article=1009&context=horizons>
- Nagy, Howaida "Women's Movement in Egypt: Dealing with Religious Fundamentalism", Women in Democratic Transitions in the MENA Region, Global Women's Leadership Initiative. Woodrow Wilson International Center for Scholars: 2013. Page 37.
- NGO Law Monitor: Egypt, The International Center for Not-for-profit Law, 12 December 2012, <http://hrlibrary.umn.edu/research/Egypt/NGOs%20Monitor.pdf>
- N.M, "Sexual Violence in Egypt", The Economist, July 2013 <https://www.economist.com/blogs/pomegranate/2013/07/sexual-violence-egypt>
- OECD 2009 <https://www.oecd.org/mena/governance/44216158.pdf>
- Sanyal, Paulami, "Parliamentary Elections in Egypt 2015", Sage Journals, 21 December 2016 <http://journals.sagepub.com/doi/full/10.1177/2347798916664627>
- Shahin, Magda, "The Impact of the 2014 Constitution on Women", AlAhram Weekly, 2014 <http://weekly.ahram.org.eg/News/6230.aspx>
- Tabikha, Kamal. "Nazra campaign seeks to remove obstacles for women judges." Egypt Independent. June 9, 2016. <http://www.egyptindependent.com/news/nazra-campaign-seeks-remove-obstacles-women-judges>.
- Tara Vishwanath, "Opening Doors: Gender Equality in the Middle East And North Africa," World Bank, Washington, DC. <https://openknowledge.worldbank.org/handle/10986/10844>
- UN Strategic Results Framework on Women, Peace and Security: 2011-2020 http://www.un.org/womenwatch/ianwge/taskforces/wps/Strategic_Framework_2011-2020.pdf
- Women in Parliament in 2010: The Year in Perspective." Inter-Parliamentary Union. 2010. <http://www.ipu.org/pdf/publications/wmnpersp10-e.pdf>. Pages 3 and 5.
- "Women in Parliament in 2015." Inter-Parliamentary Union, 2015. <http://www.ipu.org/pdf/publications/WIP2015-e.pdf>.
- "26 New Female Judges Take Oath", Al-Masry Al-Youm Translated by Egypt Independent. June 16, 2015. <http://www.egyptindependent.com/news/26-new-female-judges-take-oath>.