



IEMMUN 2026

UNCSW

COMMISSION ON THE STATUS OF WOMEN

EMPOWERED
WOMEN
EMPOWER
WOMEN

EQUALITY
HAS NO
GENDER

BE THE BOLD
FOR EVERY
CHANGE

Agenda:

"Eliminating gender based discrimination and harmful practices affecting women and girls under the pretext of religion or tradition"

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1. LETTER FROM THE EXECUTIVE BOARD

Greetings Delegates!

It gives us immense pleasure to welcome you all to this simulation of the **United Nations Commission on Status of Women (UNCSW)** at **'IEM Model United Nations 2026'**. We look forward to an enriching and rewarding experience.

Agenda: ***"Eliminating gender based discrimination and harmful practices affecting women and girls under the pretext of religion or tradition"***

This study guide is by no means the end of the research; we would very much appreciate it if the members are able to find new realms in the agenda and bring them forth to the committee. Such research, combined with good argumentation and a solid representation of facts, is what makes an excellent performance.

In the session, the executive board will encourage you to speak as much as possible, as fluency, diction, or oratory skills have very little importance as opposed to the content you deliver. So, prime emphasis on research is recommended.

The Executive Board looks forward to an efficient & progressive committee as the issue is very sensitive. We, therefore, expect you all to play your roles with responsibility. Hopefully, we, as members of the Executive Board, will also have a chance to gain insight from this committee.

All the best!

Regards,

Aaditya Wadhwa
Chairperson

Aryan Banerjee
Co Chairperson

Rupkatha Bhattacharjee
Director

2. Suggested Pattern For Researching

To start researching the agenda of the committee, participating members should do the following:

1. Start researching your respective countries and their geopolitics. As no definite document may be found which contains the stand of a country, the delegates must do the tedious yet rewarding work of going through past news clippings/ magazine articles/ government websites/ social media handles/ YouTube videos to understand the country's stance on the said agenda.
2. After gaining knowledge about the portfolios, the delegates must start their research on the agenda at hand. This must be done by researching further upon the agenda using the footnotes and links given in the guide and from other sources such as academic papers, institutional or governmental reports, national reports, news articles, blogs, etc.
3. Characterise the agenda into sub-topics and prepare speeches and statements on them. The delegates should also prepare a list of possible solutions and actions that UNCSW can suggest/adopt on the issue.
4. Assemble proof/evidence for any important piece of information/ allegation you are going to use in committee, and keep your research updated using various news sources, specifically government studies or data released by the same.
5. To have an edge in the committee in terms of debate, delegates must also research the other countries and try to find their contradictory statements or controversial stands on various issues to raise allegations/ substantial questions in the committee.
6. Lastly, we would expect all the delegates to put in serious efforts in research and preparation for the simulation and work hard to make it a fruitful learning experience for all.

3. Committee Overview

About UNCSW

The Commission on the Status of Women (CSW) is an intergovernmental body exclusively dedicated to the promotion of gender equality and the empowerment of women. It was established by the Economic and Social Council (ECOSOC) through Resolution 11(II) on 21 June 1946, making it one of the very first functional commissions created under the nascent United Nations system. Its establishment reflected an early recognition, even in the immediate aftermath of the Second World War, that the reconstruction of a just international order could not proceed without explicit attention to the status of women, whose legal, political, economic, and social subordination was near-universal at the time.

The Commission is composed of representatives of 45 Member States, elected by ECOSOC for four-year terms on the basis of equitable geographical distribution, with seats apportioned among Africa, Asia-Pacific, Eastern Europe, Latin America and the Caribbean, and Western Europe and other States. This structure ensures that the Commission's deliberations, while global in scope, remain grounded in the practical realities and priorities of diverse regions, legal systems, and cultural contexts. The



Commission meets annually at UN Headquarters in New York, typically in March, for a session that draws together government delegations, United Nations entities, and thousands of representatives of non-governmental organisations accredited with the Economic and Social Council.

It primarily functions as an intergovernmental forum for developing recommendations and policies concerning women's rights across political, economic, civil, social, and educational spheres. In relation to this agenda, it can develop international standards addressing harmful practices, encourage States to review discriminatory laws and practices, and establish mechanisms to assess progress.

CSW also reviews implementation of commitments such as the **Beijing Declaration and Platform for Action (1995)** and **SDG 5, particularly Target 5.3**, concerning harmful practices. Although it cannot create binding law, impose sanctions, authorise force, or override national sovereignty, its resolutions and agreed conclusions carry significant normative and political weight.

Membership of the Commission on the Status of Women at its seventy-first session (2027)
Alphabetical list (Term expires at close of session in year:) List by regions

Bangladesh	2028	AFRICAN STATES (13 members)	
Belgium	2028	1. Cabo Verde	2030
Belize	2029	2. Cote d'Ivoire	2027
Bolivia ((Plurinational State of)	2028	3. Democratic Republic of the Congo	2027
Brazil	2028	4. Ethiopia	2029
Cabo Verde	2030	5. Gabon	2030
Chile	2029	6. Mali	2028
China	2030	7. Morocco	2030
Colombia	2028	8. Mozambique	2027
Côte d'Ivoire	2027	9. Nigeria	2029
Cuba	2027	10. Rwanda	2028
Czechia	2027	11. South Africa	2029
Democratic Republic of the Congo	2027	12. United Republic of Tanzania	2030
Dominican Republic	2030	13. Zimbabwe	2030
Ethiopia	2029	ASIA-PACIFIC STATES (11 members)	
Gabon	2030	1. Bangladesh	2028
India	2029	2. China	2030
Italy	2029	3. India	2029
Japan	2030	4. Japan	2030
Liechtenstein	2027	5. Maldives	2030
Lithuania	2029	6. Mongolia	2030
Maldives	2030	7. Philippines	2029
Mali	2028	8. Qatar	2030
Mexico	2030	9. Republic of Korea	2027
Mongolia	2030	10. Saudi Arabia	2027
Morocco	2030	11. Sri Lanka	2028
Mozambique	2027	EASTERN EUROPEAN STATES (4 members)	
Netherlands (Kingdom of the)	2028	1. Czechia	2027
Nigeria	2029	2. Lithuania	2029
Philippines	2029	3. Romania	2028
Portugal	2027	4. Ukraine	2027
Qatar	2030	LATIN AMERICAN & CARIBBEAN STATES (9 members)	
Republic of Korea	2027	1. Belize	2029
Romania	2028	2. Bolivia (Plurinational state of)	2028
Rwanda	2028	3. Brazil	2028
Saudi Arabia	2027	4. Chile	2029
South Africa	2029	5. Colombia	2028
Spain	2027	6. Cuba	2027
Sri Lanka	2028	7. Dominican Republic	2030
Ukraine	2027	8. Mexico	2030
United Kingdom	2029	9. Uruguay	2030
United Republic of Tanzania	2030	WESTERN EUROPE AND OTHER STATES (8 members)	
United States	2029	1. Belgium	2028
Uruguay	2030	2. Italy	2029
Zimbabwe	2030	3. Liechtenstein	2027
		4. Netherlands (Kingdom of the)	2028
		5. Portugal	2027
		6. Spain	2027
		7. United Kingdom	2029
		8. United States	2029

4. Introduction

The agenda “**Eliminating gender-based discrimination and harmful practices affecting women and girls under the pretext of religion or tradition**” addresses one of the most persistent forms of structural gender inequality:

the use of social, cultural, customary or religious justifications to preserve practices that restrict the autonomy, dignity, bodily integrity, education, health, economic participation and decision-making power of women and girls.

The issue is not that religion or tradition is inherently discriminatory; rather, the concern arises when particular interpretations, customs or social norms are used to legitimize unequal treatment, coercion or violence, particularly when women and girls lack the meaningful ability to consent, challenge or escape the practice.

The UN's joint CEDAW–CRC framework defines harmful practices as persistent practices grounded in discrimination, often involving violence or causing physical or psychological harm, and emphasizes that their consequences extend beyond immediate injury to affect dignity, health, education, participation and socioeconomic status.

The scale of the problem demonstrates why the issue remains central to the work of the Commission on the Status of Women (CSW) and UN Women. UNICEF's latest estimates indicate that approximately **650 million women and girls alive today were married before their eighteenth birthday**, with child marriage occurring approximately five times more frequently among girls than boys.

Although global prevalence has declined, the pace remains insufficient to meet the Sustainable Development Goal deadline of eliminating child marriage by 2030.¹

UNFPA similarly estimates that around **12 million girls are married before the age of 18 every year**, demonstrating that child marriage is not merely a historical or isolated phenomenon but an ongoing global challenge.² Female genital mutilation (FGM) provides another illustration of the intersection between gender discrimination, social norms and bodily autonomy.

WHO estimates that **more than 230 million girls and women alive today have undergone FGM**, predominantly in parts of Africa, the Middle East and Asia, while more than four million girls are estimated to be at risk each year. WHO identifies social pressure, expectations surrounding marriage and community acceptance among the factors sustaining the practice, illustrating why legislation alone cannot necessarily eliminate deeply embedded social norms.³

¹ <https://data.unicef.org/topic/gender/child-marriage/>

² <https://www.unfpa.org/child-marriage>

³ [https://www.who.int/en/news-room/fact-sheets/detail/female-genital-mutilation?
https://www.who.int/news/item/05-02-2026-over-four-million-girls-still-at-risk-of-female-genital-mutilation-un-leaders-call-for-sustained-commitment-and-investment-to-end-fgm?](https://www.who.int/en/news-room/fact-sheets/detail/female-genital-mutilation?https://www.who.int/news/item/05-02-2026-over-four-million-girls-still-at-risk-of-female-genital-mutilation-un-leaders-call-for-sustained-commitment-and-investment-to-end-fgm?)

WHO IS AFFECTED?

Globally around
21% of young women
and 4% of young men
were married before
their 18th birthday.

21%

4%



650,000,000

650 million girls and
women alive today were
married as children.



12

million girls
under 18
are married
each year.

WHERE DOES CHILD MARRIAGE HAPPEN MOST?

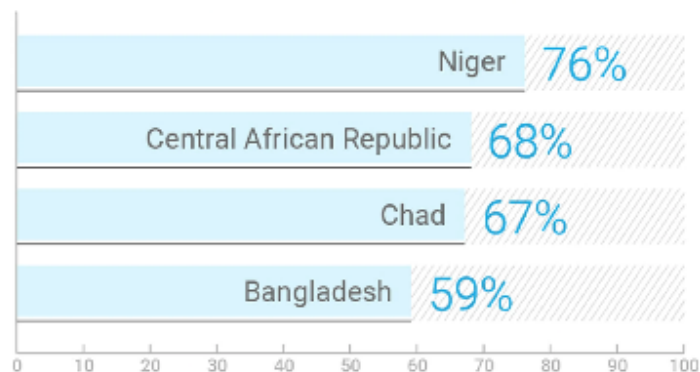
38%



of young women in
sub-Saharan Africa
married before age 18.



% of young
women who
married
before their
18th birthday.



In 2026, UNFPA, UNICEF, OHCHR, UN Women, WHO and UNESCO jointly reported that approximately **4.5 million girls are at risk of FGM during 2026**, many of them under five years of age, reinforcing the urgency of prevention alongside survivor-centred services.

The **2030 Agenda for Sustainable Development** subsequently translated this commitment into a measurable global objective through **SDG Target 5.3**, which calls for the elimination of all harmful practices, including child, early and forced marriage and female genital mutilation. This connects harmful practices to a wider conception of gender equality: eliminating them is not merely a matter of preventing violence but also of enabling girls to remain in school, exercise bodily autonomy, participate in economic and political life, and make decisions about marriage and family formation.



The 2025 **Beijing+30 review** further demonstrates that the international community has made progress but remains substantially behind its commitments. UN Women reported that, despite three decades since Beijing, progress on gender equality remains too slow and fragile. Its Beijing+30 Action Agenda consequently emphasizes accelerating implementation, increasing women's **voice, choice and safety**, and closing persistent gaps between international commitments and lived realities.⁴

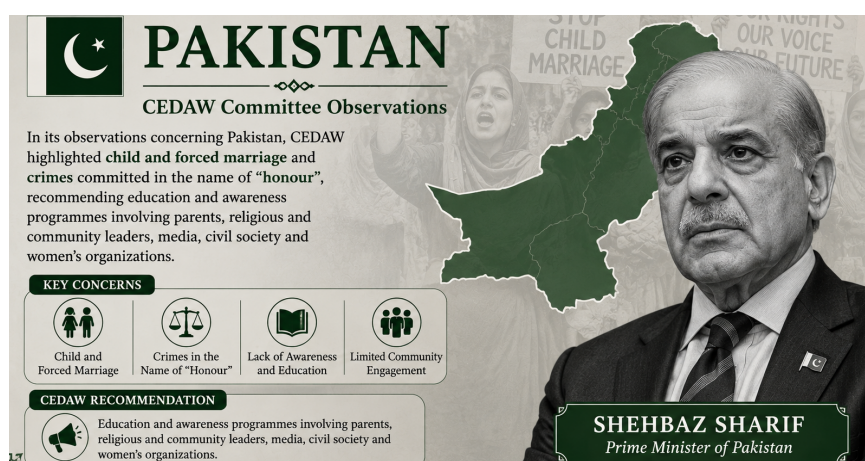
⁴<https://www.unwomen.org/en/news-stories/news/2025/03/for-all-women-and-girls-csw69-event-announces-action-agenda-to-accelerate-progress-on-womens-rights?>

5. Religion, tradition and the question of State responsibility

A crucial conceptual issue for this agenda is the phrase *“under the pretext of religion or tradition.”* Harmful practices are often sustained because communities perceive them as markers of identity, morality, family honour, social belonging or religious obligation. Consequently, a policy based exclusively on prohibition can sometimes drive practices underground without addressing the social pressures that cause families to continue them. The CEDAW–CRC framework instead emphasizes changing the underlying social norms while ensuring that women and girls have access to education, health services, protection mechanisms and justice. This approach can be observed in recent CEDAW country reviews. In its observations concerning **Nepal**, the Committee noted that practices continued despite legal prohibitions. It recommended stronger enforcement alongside awareness and education programmes.



Similarly, in its observations concerning **Pakistan**, CEDAW highlighted child and forced marriage and crimes committed in the name of “honour”, recommending education and awareness programmes involving parents, religious and community leaders, media, civil society and women's organizations.

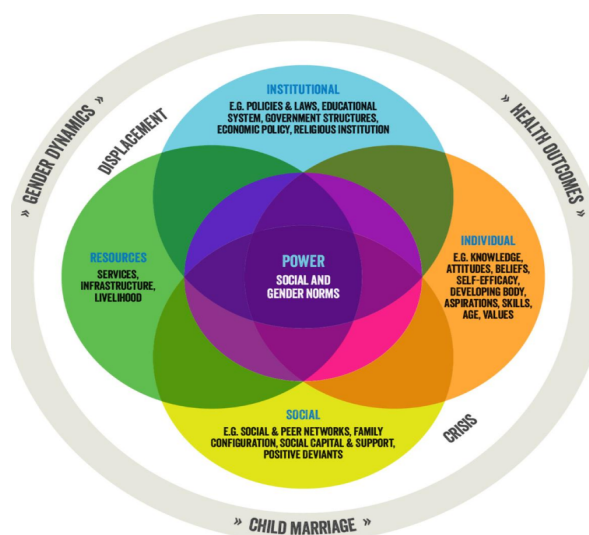


6. The Central Problem : A Cycle of Normalization

The persistence of gender-based discrimination and harmful practices cannot be explained solely by the existence of discriminatory laws or individual acts of violence. In many societies, harmful practices become embedded within a **cycle of social normalization**, where behaviour that would otherwise be recognized as harmful is presented as an accepted part of family life, community identity, morality, religion or tradition.

The CEDAW–CRC Joint General Recommendation No. 31/General Comment No. 18 recognizes that harmful practices are often rooted in **social norms, cultural beliefs, customs and traditions**, and that individuals may face significant social pressure to conform to them. This creates a situation in which families may perpetuate a practice not necessarily because every individual believes it is beneficial, but because deviation can result in social stigma, exclusion, loss of marriage prospects or other forms of community sanction.

The cycle generally begins with the **construction of gender stereotypes**: ideas concerning what women and girls should wear, whom they should marry, how they should behave, whether they should inherit property, how they should exercise sexuality, or what responsibilities they should perform within the household. When these expectations become deeply embedded, they can be presented as unquestionable moral or cultural obligations.



Children subsequently learn these expectations through parents, relatives, schools, community institutions and sometimes religious or customary authorities.

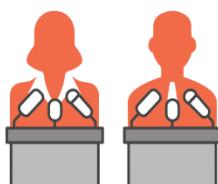
Over time, a practice may acquire legitimacy simply because it has been performed across generations. This is particularly significant for practices such as **child and forced marriage, female genital mutilation, son preference, restrictions on women's mobility, dowry-related practices and so-called “honour”-based violence**. The UN framework therefore treats harmful practices as structural phenomena rather than isolated incidents.

5 GENDER
EQUALITY

ACHIEVE GENDER EQUALITY AND EMPOWER ALL WOMEN AND GIRLS

IT WOULD TAKE ANOTHER

40 YEARS



FOR WOMEN AND MEN TO BE REPRESENTED
EQUALLY IN NATIONAL POLITICAL LEADERSHIP
AT THE CURRENT PACE

WOMEN'S SHARE IN NATIONAL PARLIAMENTS



GENDER-RESPONSIVE BUDGETING NEEDS TO BE STRENGTHENED

PROPORTION OF
COUNTRIES WITH
SYSTEMS TO TRACK
GENDER-BUDGET
ALLOCATIONS
(2018-2021)



26% | COMPREHENSIVE
SYSTEMS
59% | SOME FEATURES
OF A SYSTEM
15% | LACKING MINIMUM ELEMENTS
OF SUCH A SYSTEM



WOMEN ACCOUNTED FOR

39%

OF TOTAL
EMPLOYMENT

IN 2019,

BUT

45%

OF GLOBAL
EMPLOYMENT LOSSES

IN 2020

MORE THAN 1 IN 4 WOMEN
(15+ YEARS)



HAVE BEEN SUBJECTED TO INTIMATE
PARTNER VIOLENCE (641 MILLION)
AT LEAST ONCE IN THEIR LIFETIME

ONLY 57%

OF WOMEN (15-49 YEARS)



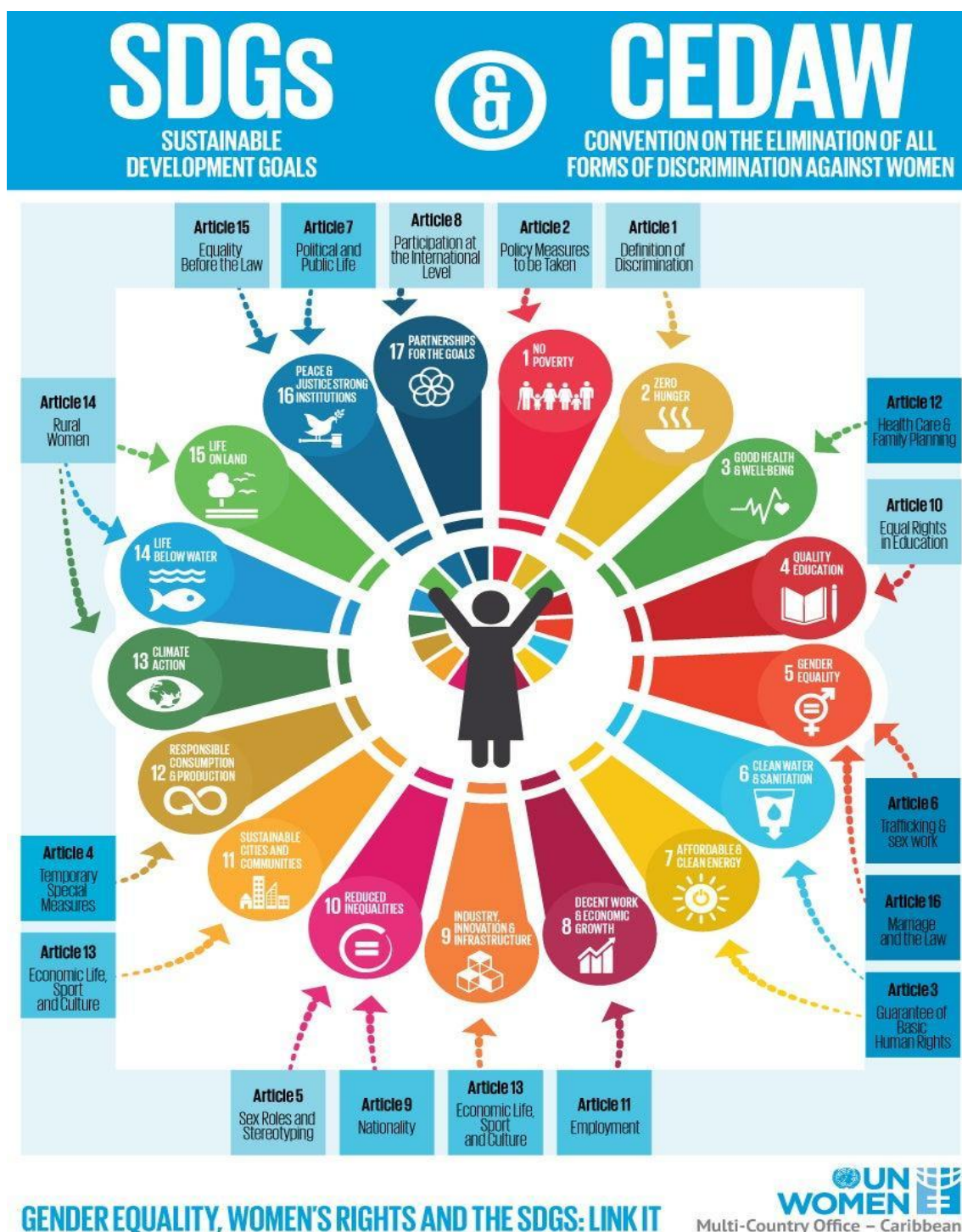
ARE MAKING THEIR OWN INFORMED
DECISIONS ON SEX AND
REPRODUCTIVE HEALTH CARE

(64 COUNTRIES, 2007-2021)

THE SUSTAINABLE DEVELOPMENT GOALS REPORT 2022: [UNSTATS.UN.ORG/SDGS/REPORT/2022/](https://unstats.un.org/sdgs/report/2022/)

The challenge for governments and UN agencies is therefore to intervene at multiple points in this cycle. **CEDAW** provides the legal obligation; **CSW and UN Women** provide the gender-equality policy framework; **UNICEF and UNFPA** contribute child-protection, reproductive-health and community interventions; **OHCHR** provides the human-rights framework; and national governments, courts, schools, health systems, civil society, women's organizations and community and religious leaders provide the implementation mechanisms.

Central Framework of Intersection between SDGs and CEDAW



7. Understanding Gender-Based Discrimination

Direct and Indirect Discrimination

Direct discrimination occurs when women or girls are explicitly treated less favourably because of their sex or gender. Examples include laws preventing women from inheriting property on equal terms, restrictions on women's employment, or denying girls access to education because they are girls. **Indirect discrimination** is more difficult to identify because a seemingly neutral law, policy or practice can disproportionately disadvantage women. For example, a workplace rule requiring uninterrupted full-time employment may appear gender-neutral but can disproportionately disadvantage women where unpaid care responsibilities are unequally distributed. CEDAW defines discrimination broadly to include distinctions, exclusions or restrictions that impair women's enjoyment of rights and freedoms on an equal basis with men. Consequently, States must examine not only whether laws explicitly discriminate, but also whether supposedly neutral systems produce unequal outcomes.

Formal vs Substantive Equality

Formal equality means that women and men are treated equally under the law, while **substantive equality** asks whether women can actually enjoy their rights on an equal basis. A State may formally guarantee equal access to education, for instance, yet girls may continue to face child marriage, unsafe transport, unpaid domestic responsibilities or discriminatory social expectations that prevent them from completing school. CEDAW's framework therefore extends beyond removing explicitly discriminatory laws towards addressing the **structural conditions producing unequal outcomes**. Substantive equality may require temporary special measures, targeted programmes or additional protections for disadvantaged groups. Article 4 of CEDAW explicitly permits temporary special measures aimed at accelerating de facto equality. The distinction is crucial for CSW because eliminating discrimination requires more than equality *on paper*; it requires transforming institutions, resources and social conditions that prevent women and girls from exercising their rights in practice.

Gender Stereotypes

Gender stereotypes are generalized assumptions about the characteristics, abilities, roles or behaviour considered appropriate for women and men. They become discriminatory when they restrict individual autonomy or determine what rights and opportunities a person can access. Expectations that women should prioritize marriage and caregiving, that men should be household decision-makers, or that girls should behave modestly can influence education, employment, political participation, marriage and reproductive decisions. CEDAW Article 5 requires States to address social and cultural patterns based on stereotyped roles for men and women. This is particularly relevant to harmful practices because stereotypes can provide the social justification for practices such as child marriage, son preference, restrictions on women's mobility and so-called "honour"-based

violence. Eliminating gender discrimination therefore requires changing not only laws but also the social narratives that define what women and girls are supposedly permitted or expected to do.

Intersectional Discrimination

Intersectional discrimination occurs when different forms of disadvantage interact and produce distinctive or intensified forms of discrimination. A woman's experience of gender discrimination may be compounded by poverty, disability, age, ethnicity, caste, migration status, rural residence or other circumstances. For example, a poor rural girl may face simultaneously limited access to education, pressure for early marriage, geographic isolation and inadequate access to justice. The CEDAW Committee has repeatedly emphasized that discrimination against women can intersect with other forms of discrimination, requiring States to consider women's circumstances holistically. Intersectionality is particularly important for CSW because national averages can conceal severe inequalities within populations. Policies designed for "women" as a single category may therefore fail to reach those facing the greatest barriers. Effective interventions require **disaggregated data, targeted services and participation of affected communities**, ensuring that the most marginalized women and girls are not left behind.

Discrimination Against Women and Girls Across the Life Cycle

Gender discrimination is often **cumulative across the life cycle**, with disadvantages experienced during childhood potentially creating vulnerabilities later in life. A girl denied adequate nutrition or education may have reduced economic opportunities as an adolescent; early or forced marriage can interrupt education and increase dependency; unequal employment opportunities can produce lifelong income disparities; and discriminatory inheritance or property systems can leave older women economically vulnerable. Harmful practices therefore should not be treated as isolated events occurring at particular ages.

The Beijing Platform for Action adopts a life-cycle perspective, while CEDAW and the Convention on the Rights of the Child establish complementary protections for women and girls. A life-cycle approach requires governments to connect interventions across **early childhood, adolescence, reproductive years, working life and old age**, rather than addressing discrimination through fragmented programmes. This makes prevention possible before inequalities become entrenched and intergenerational.

8. What Constitutes a “Harmful Practice”

UN Definition and Criteria

The Joint CEDAW General Recommendation No. 31 / CRC General Comment No. 18 provides the principal UN framework for identifying harmful practices. It defines them not simply as “traditional” or “cultural” practices, but as persistent practices grounded in discrimination that cause or risk physical, psychological, economic or social harm and interfere with human rights. The framework identifies key characteristics: violation of dignity or integrity, discrimination based on sex, gender or age, harm, reinforcement of unequal gender roles, and social or community pressure. Importantly, a practice can remain harmful even where it is socially accepted or described as customary. This framework covers practices including child and forced marriage, FGM, discriminatory widowhood practices, son preference and crimes committed in the name of “honour.”

Harmful Practice vs Religious Practice

A practice does not become harmful merely because it is religious or traditional. The relevant question under the UN human-rights framework is whether it produces discrimination, violates dignity or bodily integrity, causes harm, or interferes with fundamental rights. The CEDAW–CRC framework recognizes that harmful practices may be justified through religious, cultural or sociocultural beliefs, but such justification does not remove State obligations to protect human rights. This distinction is vital for CSW: the objective is not to challenge freedom of religion or cultural identity, but to prevent their invocation as a basis for coercion, discrimination or violence against women and girls.

Consent, Coercion and Agency

The UN framework makes an important distinction between apparent consent and free, informed and voluntary consent. A harmful practice may remain a human-rights violation even when an individual appears to accept it, particularly where social, economic, familial or cultural pressures severely restrict meaningful choice. The Joint Recommendation explicitly states that harmful practices can exist regardless of whether the victim provides, or is able to provide, full, free and informed consent. This is especially relevant to children, who may lack the maturity or autonomy necessary for meaningful consent. Therefore, CSW should examine not only *whether someone consented*, but whether they had genuine alternatives and the freedom to refuse without coercion or serious social consequences.

Who Defines “Harm”?

The determination of harm requires both universal human-rights standards and participation from affected communities. States have the primary responsibility to legislate and protect rights; treaty bodies such as CEDAW and the CRC Committee interpret international obligations; courts determine their domestic application; and affected women and girls provide essential insight into the actual consequences of practices.

However, social acceptance cannot by itself make a discriminatory practice legitimate. The UN framework evaluates practices through their impact on equality, dignity, integrity, health, autonomy and human-rights enjoyment, rather than their age or cultural popularity. Thus, the key question is not “*Is this traditional?*” but “Does this practice perpetuate discrimination, cause harm or restrict fundamental rights?”

9. International Frameworks

A. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979

CEDAW provides the most comprehensive treaty framework for eliminating gender-based discrimination embedded in law, custom, religion or tradition. **Article 2(f)** requires States Parties “to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women.” This is reinforced by **Article 5(a)**, which requires States to:

“modify the social and cultural patterns of conduct of men and women”

to eliminate “prejudices and customary and all other practices” based on sex-based superiority/inferiority or stereotyped roles.

For harmful practices affecting marriage and family life, **Article 16(1)(a)–(b)** guarantees women the same right to enter marriage and “*the same right freely to choose a spouse and to enter into marriage only with their free and full consent.*”

Article 16(2) further provides that the betrothal or marriage of a child shall have no legal effect and requires States to establish a minimum marriageable age. Thus, CEDAW establishes that cultural or religious justification cannot legitimise discriminatory practices inconsistent with women's equality, autonomy and dignity.

B. International Covenant on Civil and Political Rights (ICCPR), 1966

The **ICCPR** establishes a parallel framework protecting equality, non-discrimination, personal autonomy and freedom of religion. **Article 2(1)** obliges States Parties to respect and ensure Covenant rights “without distinction of any kind, such as race, colour, sex, language, religion...” while Article 2(2) requires appropriate legislative measures to give effect to those rights. **Article 26** further provides: “All persons are equal before the law and are entitled without any discrimination to the equal protection of the law,” expressly including discrimination based on sex and religion.

Importantly, protection of religion does not permit coercive practices against women and girls. **Article 18(1)** protects the freedom to “have or to adopt a religion or belief of his choice,” while **Article 18(2)** states that “No one shall be subject to coercion” impairing that freedom. Further, **Article 23(3)** requires that “No marriage shall be entered into without the free and full consent of the intending spouses.”

Accordingly, the ICCPR supports a rights-based balance: freedom of religion is protected, but coercion and discrimination cannot be justified through religious practice or tradition.

C. Convention on the Rights of the Child (CRC), 1989

The **CRC** is particularly relevant where harmful practices affect girls below eighteen. **Article 2(1)** requires States Parties to respect and ensure Convention rights “without discrimination of any kind,” including on grounds of sex and religion. The Convention consequently rejects discriminatory treatment of girls even where such treatment is presented as culturally or religiously sanctioned.

Most directly, **Article 24(3)** provides: “States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.” This provision directly addresses the agenda's concern with harmful traditional practices, including practices affecting girls' physical and psychological health. **Article 19(1)** additionally requires States to protect children from “all forms of physical or mental violence” and abuse, while **Article 34** requires protection from sexual exploitation and sexual abuse.

The CRC therefore establishes that tradition cannot override the child's internationally protected rights. Its framework is strengthened by **Article 3(1)**, under which the best interests of the child must be “a primary consideration.” Together, these provisions require States to prevent harmful practices, protect affected girls and provide effective legal, medical and social safeguards.

D. Regional Frameworks: Maputo Protocol and Istanbul Convention

Regional instruments provide particularly explicit mechanisms for confronting harmful practices justified by culture, tradition or religion. The **Maputo Protocol**, under **Article 5**, requires States Parties to “prohibit and condemn all forms of harmful practices which negatively affect the human rights of women.” It specifically requires legislative measures backed by sanctions against practices including female genital mutilation and requires support for victims. **Article 6** additionally requires that “no marriage shall take place without the free and full consent of both parties” and establishes eighteen as the minimum age of marriage for women.

The **Istanbul Convention** goes further in expressly addressing the agenda's religious and traditional justification. **Article 12(5)** mandates that “culture, custom, religion, tradition or so-called ‘honour’ shall not be considered as justification for any acts of violence.” **Article 42(1)** similarly requires States to ensure that such considerations “shall not be regarded as justification” in criminal proceedings. Collectively, these instruments establish a clear international principle: **religious freedom and cultural identity merit protection, but neither can lawfully be invoked to legitimise gender discrimination, violence or harmful practices against women and girls.**

10. Challenges

The persistence of gender-based discrimination and harmful practices under the pretext of religion or tradition cannot be attributed to a shortage of international standards. CEDAW, the CRC, the Beijing Platform for Action and the Joint CEDAW–CRC General Recommendation No. 31/General Comment No. 18 already articulate a clear and detailed normative position on the elimination of harmful practices. The difficulty lies instead in the translation of these standards into binding domestic compliance, a process obstructed by a combination of legal, political, institutional and epistemic barriers that together sustain the deadlock described in earlier sections of this guide.

The **most immediate legal obstacle** is the reservations regime under CEDAW itself.

Article 2 of the Convention establishes the **general obligation of States to condemn discrimination against women in all its forms and to pursue, by all appropriate means and without delay, a policy of eliminating such discrimination**, while Article 16 addresses equality within marriage and family relations, including matters of consent, guardianship and property. These two articles are widely regarded as constituting the core of the Convention's object and purpose.

Article 28(2) of CEDAW explicitly prohibits any reservation incompatible with that object and purpose, yet a significant number of States have entered reservations against precisely these provisions, most commonly on the grounds that they conflict with national law, tradition, religion or culture.⁵

This has made CEDAW the most heavily reserved human rights treaty in the UN system. Research on state behaviour under international treaty regimes suggests this pattern is not incidental: States are more likely to reserve against provisions that are precise and demanding in their legal effect, since vaguer provisions require less immediate domestic reform and attract comparatively little scrutiny.⁶

The result is a structural paradox in which near-universal ratification of CEDAW coexists with concentrated, selective non-compliance precisely where the Convention would require the most consequential reform of family and personal-status law, the domain in which many of the harmful practices addressed by this agenda are embedded.

A second obstacle **concerns the enforcement architecture available to the Commission and to CEDAW more broadly**. The General Recommendations issued by the CEDAW Committee, including GR31/GC18, are non-binding and carry no independent enforcement mechanism. Article 29 of the Convention permits disputes between States parties over interpretation or application to be referred to arbitration or, failing that, to the International

⁵ <https://cedaw.iwraw-ap.org/reservations/>

⁶ Zvobgo, K., Sandholtz, W., & Mulesky, S., cited in "Ratification, Reservations, and Review: Exploring the Role of CEDAW Compliance Mechanisms," *Journal of Public and International Affairs*,

Court of Justice; in practice, however, Article 29 has itself attracted extensive reservations and has never been invoked.⁷

The Optional Protocol to CEDAW, adopted in 1999, introduced an individual complaints mechanism and an inquiry procedure intended to address precisely this enforcement gap, allowing the Committee to investigate grave or systematic violations. In practice, the inquiry procedure has produced only a small number of reports since its introduction, and structural weaknesses in the broader compliance system mean that routine state non-compliance with Committee recommendations remains largely unaddressed.

The Commission and UN Women therefore operate substantially through reporting, dialogue and normative pressure rather than through any mechanism resembling binding enforcement, and periodic reporting cycles of four years further slow the pace at which non-compliance can even be identified, let alone remedied.

A less frequently discussed but equally significant obstacle is the **scarcity of reliable, comparable data on the prevalence of harmful practices**. Data on violence against women and harmful practices is often lacking altogether, and where it exists, comparability across and within countries remains a considerable challenge for global monitoring, a difficulty that intensifies for women and girls with disabilities, ethnic minorities, migrants and older women, who are precisely the groups this agenda identifies as most vulnerable.

The sensitive nature of practices such as FGM compounds this problem directly, since families are frequently reluctant to disclose such information even in confidential survey settings. At the global level, the majority of SDG indicators for gender equality suffer from insufficient data to track progress reliably.⁸ This creates a circular difficulty for the Commission: policy responses calibrated to national or regional averages routinely obscure the sharpest concentrations of harm, yet the disaggregated data required to correct for this is the very data least likely to exist.

Further complications arise in humanitarian and conflict-affected settings, where the institutions ordinarily responsible for enforcement, courts, schools, registries, health systems, are frequently degraded or absent altogether.

Research conducted across Jordan, Iraq, Lebanon, Syria and Yemen has identified a persistent evidence gap that limits the ability of humanitarian actors to design and implement effective interventions against child marriage in displacement contexts, along with distinct barriers to the interventions that do exist. Displacement, in other words, does not merely aggravate existing vulnerability; it actively undermines the institutional preconditions on which the CEDAW framework's implementation model depends.

Moreover, even where political will and institutional capacity exist, implementation depends on sustained financing that has become increasingly precarious.

⁷ https://www.congress.gov/crs_external_products/R/PDF/R40750/R40750.26.pdf

⁸ <https://www.unwomen.org/en/digital-library/multimedia/2017/7/infographic-spotlight-on-sdg-5>

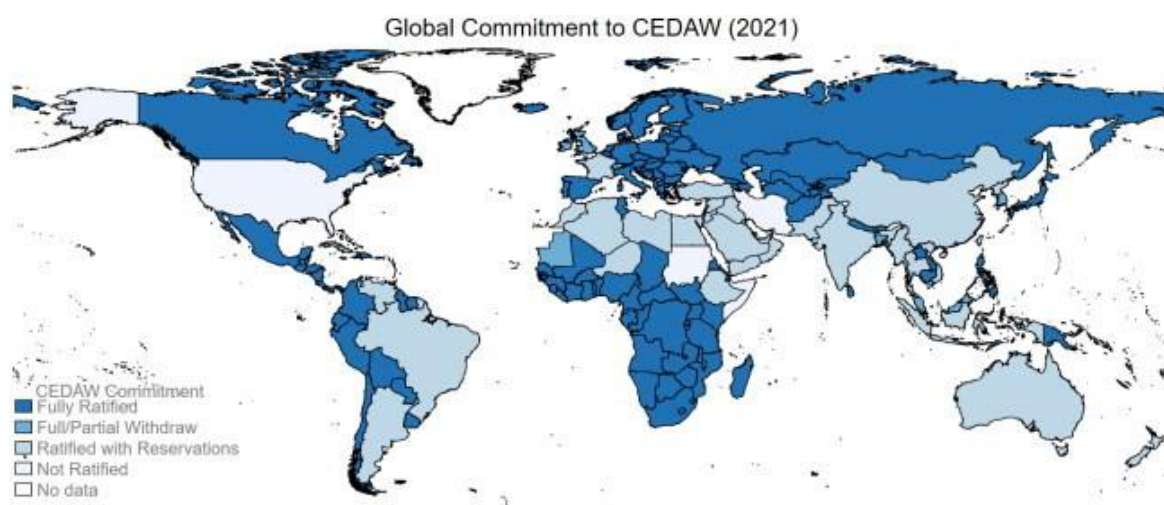
Recent reporting on the joint **UNFPA–UNICEF Global Programme to End Child Marriage** explicitly frames continued progress as contingent on adapting to a contracting global aid landscape and on strengthening domestic financing to offset declining donor contributions. This exposes a structural tension between the normative ambition of instruments like the Beijing+30 Action Agenda and the material capacity of the programmes tasked with realising them on the ground.

Finally, the tension between **universalist human rights standards and cultural relativist objections** remains a genuine and unresolved feature of this agenda, one that a purely condemnatory approach tends to handle poorly.

Contemporary scholarship increasingly resists treating this as a strict binary,⁹ but the underlying disagreement persists: relativist positions typically argue that ethical and social systems vary substantially across societies and that instruments such as CEDAW, despite near-universal ratification, are not culturally neutral but emerged from particular liberal, individualist legal traditions, such that their imposition can be experienced by some communities as a form of cultural imperialism rather than universal protection.

Practices bound up with tradition are therefore rarely experienced by the communities that sustain them as purely oppressive; they are frequently entangled with functions that a strictly condemnatory resolution framing tends to erase entirely. This same relativist logic, however, has historically also been invoked in intergovernmental fora, including during

Universal Periodic Review cycles, to resist even minimal reform, using the language of cultural sovereignty to shield practices that meet the UN's own definitional criteria for demonstrable physical or psychological harm. The challenge for the Commission is therefore not to resolve this tension in the abstract, but to draft language capable of distinguishing between respecting the social function of tradition and permitting tradition to operate as a shield against accountability.



⁹ Lakatos, I. (2018). "Thoughts on Universalism versus Cultural Relativism, with Special Attention to Women's Rights," *Pécs Journal of International and European Law*, <https://journals.lib.ptt.hu/index.php/pjtel/article/view/6891>

11. Case Studies

The record on this agenda is not uniformly negative. Where religious and cultural authority has been engaged deliberately, through legitimate internal reform rather than external imposition, meaningful shifts in women's status have occurred without requiring communities to abandon their frameworks of meaning. Where such engagement has been absent or where political actors have used religious language purely as a shield, however, decades of international pressure have failed to prevent regression. The four cases below illustrate both outcomes.

1. The Mouchidates Programme, Morocco and Mauritania

Following the 2003 Casablanca bombings, Morocco's Ministry of Islamic Affairs established a programme to train women as certified religious guides, known as *mouchidates*, who deliver theological instruction, family counselling and social guidance in mosques and public institutions across the country, though they remain formally excluded from leading prayer, a role reserved for imams. Candidates undergo a year of intensive study covering foundational Islamic texts, Moroccan civil law and counselling methods at the Dar al-Hadith al-Hassania institute, and graduates are deployed nationally to address matters including divorce rights under Morocco's family code, the Moudawana.



The programme has been described by researchers as one of the most established examples of channelling women's religious leadership toward both peace-building and the promotion of gender equality within an explicitly Islamic framework, and Mauritania has since adopted a comparable model of state-certified female Islamic guides, citing Morocco's programme directly as a template for building community trust and countering extremist narratives through culturally grounded means rather than security-based approaches.

The initiative is not without its critics: some observers have questioned whether the programme's continued exclusion of women from leading prayer represents an accommodation of patriarchal structures rather than a genuine redistribution of religious authority. Even so, it demonstrates that religious institutions themselves can be restructured to expand women's public and interpretive authority, rather than requiring that authority to be established outside or against those institutions.

2. The Indonesian Women's Ulama Congress (KUPI)

In April 2017, Indonesian Islamic scholars and civil society organisations convened the first Kongres Ulama Perempuan Indonesia in Cirebon, West Java, the first gathering of its kind in the Muslim world to formally re-establish women's juristic authority to issue fatwas.



The congress issued three fatwas, against sexual violence, against child marriage, and on environmental degradation as a gender-equality issue, using a distinct interpretive methodology grounded in the concepts of *ma'ruf*, *mubadalah* and *keadilan hakiki*, or ethical reasoning, reciprocity and substantive justice, developed from within classical Islamic jurisprudence rather than imported from secular human rights language. A second congress held in 2022 extended this work to forced marriage and female genital mutilation.

The KUPI fatwa against sexual violence is credited by researchers as having played a direct role in mobilising support for Indonesia's Sexual Violence Crime Bill, ratified in May 2022, with women ulama distributing explanatory materials to parliamentarians ahead of the vote.

The KUPI model is significant precisely because it does not ask communities to choose between religious authority and gender equality; it relocates the site of interpretive authority to women themselves, producing reform that carries theological legitimacy rather than being perceived as externally imposed.

12. List of Valid Sources

1. UN Commission on the Status of Women (CSW), UN Women Official Documents and UN Digital Library
2. OHCHR Reports and UN Human Rights Council, General Assembly Resolutions
3. Core Human Rights Treaties: CEDAW, UDHR, ICCPR, ICESCR and Convention on the Rights of the Child (CRC)
4. CEDAW Committee Documents
5. Beijing Declaration
6. UN Sustainable Development Goals and Official UN Data
7. Reports of UN Special Rapporteurs and Independent Experts
8. Official Government Websites, National Human Rights Institutions and National Gender Equality Commissions
9. Regional Human Rights Instruments and Judgments

NOTE: The information provided in this guide is illustrative and based on a variety of sources. The aim is to provide the delegates with an in-depth understanding of the agenda. The guide does not hold any evidentiary value in the simulation.

Happy Researching!
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