



# Human Rights Now

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United Nations High Commissioner for Human Rights  
Working Group on Discrimination Against Women  
Speaker: Maromi Martinez

Human Rights Now, a Tokyo-based international human rights NGO, has recently released a report, available on our website, examining discriminatory practices in the punishment of women in several states.<sup>1</sup> The report considers multiple forms of punishment, including official punishment as a matter of law, discriminatory practices of officials, and societal punishment which is either sanctioned or tolerated by the state or where the state has been insufficient in ending the practices. Examined practices include substantive discrimination, including moral crimes such as adultery, seclusion, and dress requirements, honor killings, sorcery-related crimes, and other crimes which disproportionately target women, and procedural discrimination, including by moral police, informal judicial bodies, and discriminatory practices by police and judges.

The report examines eight states varied by region and culture, consisting of Afghanistan, Indonesia, Iran, Iraq, Malaysia, Papua New Guinea, Saudi Arabia, and Yemen. Each chapter introduces the legal and social context in the state and its international duties, surveys discriminatory practices in the punishment of women which fall short of international standards, and concludes with recommendations.

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<sup>1</sup> The report is available from this link: <http://hrn.or.jp/eng/news/2018/07/26/punishment-of-women-report/> .

There are several general and common conclusions to be drawn from the report. In some cases, laws provide for discriminatory punishment on their face, calling for legal reforms. In many other cases, discriminatory action by state officials arises due to laws and practices which allow or tolerate them applying religious or customary law, often uncodified, either explicitly or through vagueness. Similar issues arise when the national legal system provides for informal judicial bodies like village councils to decide criminal cases at the local level. Highly decentralized or federalized states often have regions which diverge markedly in terms of gender equality from the national level, as is the case in Papua New Guinea and Indonesia. Many states also suffer from underinvestment in police and criminal justice programs which focus on crimes affecting women.

In every case, there is a pressing need for states to work further to ensure women's equality is accepted within the mainstream culture, as even where *de jure* discrimination has been erased, women cannot achieve full equality without the efforts of society at large. We hope by raising greater awareness and understanding of these issues within the international community, including the Working Group, that it can play a constructive role in bringing equality to women in criminal and penal practices in these and other states, and we thank the Working Group for allowing us this opportunity to share our report and its findings. Thank you.