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## The Universal Periodic Review: Determining an International Organization's Impact on Women's Rights in a State

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***The Universal Periodic Review: Determining an International Organization's Impact on Women's Rights in a State***

An Honors Thesis submitted in partial fulfillment of the requirements for Honors in  
*Political Science.*

By

*Miranda Peterson*

Under the mentorship of *Dr. Maureen Stobb*  
And the co-mentorship of *Dr. Kate Perry*

**ABSTRACT**

*How does official criticism from the Universal Periodic Review (UPR) affect the level of government respect for women's rights in a state? International governmental organizations (IGOs), such as the Universal Periodic Review, play an important role in the overall global community. Although there is some evidence that IGOs can improve respect for human rights in a state, scholars do not yet know the impact on women's rights specifically, especially when it comes to naming and shaming. I investigate this relationship, theorizing that the UPR will positively impact women's rights, but this effect will be contingent on the level of terrorist activity in a state. I focus specifically on women's rights through discrimination against women, women's access to education, and violence against women. I argue that the strong presence of terrorist groups will wash out the impact of the UPR's naming and shaming. I substantiate my argument with a case study in the Middle East, Iraq, with a high level of terrorist activity. My findings indicate that terrorist attacks do not seem to undermine the state responses to women's rights, rejecting my hypothesis.*

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time it took to complete it, they supported me anyways. I cannot begin to describe my gratitude for two people that support me through everything I do, no matter what it is.

## **Introduction**

While in many developed states women have gained greater access to political, economic, and social rights, women's rights across the globe lagging. Though women can run for office in the United States (US), the state did not see the first female vice president until Kamala Harris took office in 2021. Despite the United States' comparatively high level of democracy, women did not receive the right to vote until 1920. Likewise, regardless of Switzerland being founded in 1848, women did not get the right to vote until 1971, only fifty years ago. Even in states where respect for human rights is decent, as a whole, women's rights still constantly linger behind that of men.

In addition to underdeveloped women's rights, today's world sees far more human rights abuses than it should. The United Nations (UN) defines human rights as, "...rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status" (United Nations Universal Declaration of Human Rights). Every person has a right to be free from slavery, torture, and discrimination. Additionally, every person has a right to life, liberty, work, and education. The 1994 Rwandan Genocide left over a million innocent people dead. The 2016 Myanmar Genocide left tens of thousands killed and nearly 600,000 civilians seeking refuge in surrounding states (Prasse-Freeman 2020). Even further, due to vulnerability and susceptibility, women are often the target for these atrocities. Vulnerable populations, such as women, are at higher risk of becoming refugees, and even more so, becoming human trafficked (Hepburn and Simon 2010).

Currently, there is significant research explaining that nongovernmental organizations (NGOs) have an impact on human rights. However, there is little research regarding intergovernmental organizations (IGOs) and human rights. How does official

criticism from the Universal Periodic Review (UPR), an IGO, affect the level of government respect for women's rights in a state? This thesis argues that the UPR will have an impact on women's rights, but not where there are high levels of violent terrorist activity. I theorize that terrorist organizations and high terrorist activity will wash out the impact of the UPR on women's rights.

In this thesis, I examine the relationship between official criticism released by the Universal Periodic Review (UPR) and the level of government respect for women's rights within a state. I believe that the international community often responds to such violations by publicly naming and shaming the alleged human rights abusers. I take the literature on human rights as a whole and narrow it down to apply directly to women's rights, focusing specifically on discrimination against women, women's access to education, and violence against women. The impact, however, on the naming and shaming released by the UPR is unclear, especially when nonstate actors are involved. This thesis aims to fill the gap between the relationship between the UPR, the interference of nonstate actors, and women's rights. The official criticism provided by the UPR is important to Political Science altogether because IGO's play a large role in human rights and the effects of international community action by helping to establish legitimacy, aiding cooperation among states, and providing assistance to states in general.

This thesis contributes to the study of human rights in a couple ways. First, it combines the impact of naming and shaming from the UPR on women's rights, which has yet to exist thus far. I am also connecting this relationship with the presence of terrorist activity, which has not been done. All in all, this thesis aims to help the reader understand the impact of IGOs on women's rights, and the role that terrorist organizations can play in undermining those efforts. In order to build a strong case, it is

crucial to look at IGOs and consider the role of non-state actors. My research also analyzes the UPR's effectiveness—something that scholars have only studied sparingly up to this point. Overall, this thesis furthers the literature on naming and shaming as it explores the potential for states to improve based on this practice.

This thesis proceeds as follows: I begin by examining foundational literature that has contributed to the research of both women's rights and the Universal Periodic Review. Then, I discuss the processes of the UPR and the way in which it releases official documentation regarding the human rights violations within states. I continue by presenting my theory, which argues that the impact of terrorist organizations will wash away any effect that the UPR could have on women's rights in a state. Afterwards, I discuss my research design and methodology, which analyzes a case study from Iraq. I present and discuss the results of my research and ultimately conclude that terrorist attacks do not appear to undermine the level of government respect for women's rights in a state.

## **Literature Review**

Given the vast amount of literature that exists, the topic of women's rights has proven to be a prominent and important topic within Political Science for many decades. Although most international organizations (IO's) came into force around the same time, there are some IO's that lagged behind. Though only a minimal number of IO's were founded several decades after the establishment of human rights in 1948, such as the International Criminal Court (ICC) and the Universal Periodic Review as a part of the United Nations Human Rights Council (UNHRC), it is important to expand research on these IO's as they are not to be forgotten.

Most of the literature that I have researched thus far focuses on the structure and performance of the UPR, as well as terrorism and state behavior towards women's rights, but not together. Although being insightful and highly beneficial, the current literature lacks the analysis of the relationship between effectiveness of the UPR on women's rights when terrorist organizations are present. To date, there is no research on these variables altogether. This thesis, therefore, aims to fill some of the existing gaps by examining the UPR and the level of government respect for women's rights when terrorist organizations are present (or not) in Middle Eastern States.

### *Examining Women's Rights*

Considering the history of male-dominated societies throughout the world, women have consistently been placed on the backburner in terms of their human rights. Women in Saudi Arabia did not receive the right to drive until 2017. Women in Sweden did not get the right to vote until 1921. Bunch (1990) highlights that routinely, "...girls are fed less...die or are physically and mentally maimed by malnutrition at higher rates than boys...[and] the denial of women's rights to control their bodies in reproduction



threatens women's lives" (489). Further, women are far more likely than men to experience domestic violence, and in some countries, domestic violence is the main cause of crime. In 1987 Peru, "...70 percent of all crimes reported to police involve[d] women who [were] beaten by their partners..." (Bunch 1990, 490).

Deutz (1993) furthers already existing feminist critique of the international human rights agenda by arguing that international human rights have always just protected men's rights, and that "...the bearers of [human] rights are male" (38). For instance, when the United States Constitution was written in 1787, women were not even thought to be true citizens, let alone have rights.

To provide a more recent example, Stiglmeier (1994) explores the dehumanization and molestation of women that occurred during the Bosnian War, which was a key component to the destruction and exploitation of the war. Child-bearing women were kidnapped from their husbands and fathers to be held captive and raped.

MacKinnon (2006) further explained the 1990's sexual assault crisis in Bosnia, noting that Bosnian women did not necessarily stay quiet about their situation, but still, abuses against these women continued to occur. She states: "In the mid-1990s in particular, Bosnian women, while their communities were still being attacked by Serbian forces, spoke out about being raped en masse..." (MacKinnon 2006, 2).

Routinely and historically, women have been viewed as fragile, vulnerable, and weak. These perceptions are not just limited to women's physical rights, either. Political, economic, and social rights go far beyond that of physicality. Bunch (1990) is adamant about the fact that governments rarely or never create policies with women in mind and nongovernmental organizations (NGO's) do little to prioritize and protect women's rights as a whole. With so many governments consisting of predominately men, it is no wonder

women lack political, economic, and social rights as well. Laws and societal norms are rarely created or centered around the needs and wants of women.

Orloff (1993) contends that it is harder for women to climb the political ladder because of issues with sexual harassment. Further, in a male-dominated world, "...the concept of decommodification does not fully apply to women workers and is misleading concerning the situation of male workers because it ignores who does caring and domestic labor [most often times, women]" (Orloff 1993, 322). Too often, women are responsible for tending to the house and the children even after a long day's work. As a result, it is rare for many women to receive true "relaxation" or "down time."

More specifically, the world sees a lot of these women's rights abuses occurring in the Middle East and North Africa (MENA) region. Although the Middle East has made immense progress in the past ten years due to the civil unrest caused by the Arab Spring, overall, women's rights in the region still fall behind many other states. Though gender equality is lacking in even the most developed states, the Middle Eastern region poses a whole new set of challenges with the presence of terrorist groups in so many of the states. In many MENA states, such as Mauritania and Saudi Arabia, tradition is still highly valued in the culture, causing women's rights advancements like driving and voting to progress slowly, or be nonexistent altogether. Even more, when women's rights are advanced, they are often focused on the more westernized and modernized areas of the Middle East. Trofin and Tomescu (2010) contend that "...media messages are directed towards sophisticated modernized women living in cities, [and] most media messages focus on the traditional role of women..." (153). Despite some improvements, such as Egyptian women given the right to be a judge in 2008 (Sutherlin 2012), this Middle Eastern tradition is not progressive in terms of women's rights, ultimately causing

women to lag behind in the grand scheme of assessing women's rights. To put it simply, most leaders in the MENA region have not prioritized the advancement in women. Sutherlin (2012) states, "Any reforms by Mubarak [of Egypt] were designed to facilitate his hold on power and not necessarily improve women's position in society" (83). The Middle East presents some of the toughest cases for the effect of the international community, and so if the UPR's effectiveness is going to be put to the test, the Middle East is the right place to explore it.

While narrowing in on the Middle Eastern region, it is important to note that this thesis is not meant to frame the Middle East in a bad light. The MENA region has had many great successes in progress in the past decade, thus this research is only meant to highlight the challenges that the region faces based on women's rights and terrorist activity. In short, all states throughout the world face challenges and threats from nonstate actors, this thesis just explores the threats of these specific actors.

### *The Process of the Universal Periodic Review*

In this section, I present the necessary background on the process of the UPR. Founded in 2006, the Universal Periodic Review was created by the UNHRC. As stated by the UNHRC, in its design, the UPR is adamant about ensuring equal treatment for every country when assessing their human rights. The main goal of the UPR is to analyze, improve, and monitor the human rights conditions of the United Nations member states. Each cycle that the UPR undergoes has three objectives: to review the current human rights status of a country, to implement the recommendations made by the Working Group, and to monitor these recommendations once they are officially implemented (Charlesworth and Larking 2015). The Universal Periodic Review is notably one of the most important forms of official criticism released regarding human

rights as there is no other form of universal documentation relating to human rights violations globally.

Three primary documents, published in several languages, exist as a part of the UPR's overall report: the National Report, the Compilation of UN Information, and the Summary of Stakeholders' Information (Cowan and Billaud 2015). These documents examine several different areas of human rights including: civil, political, economic, social, and cultural.

The Working Group, composed of the forty-seven-member states of the United Nations Human Rights Council, manages the state reviews. The review of a state, however, is not limited to just the forty-seven states of the UNHRC. All UN member states have the opportunity to give input on the state under review. The "troika," which is a group of three states, seeks to facilitate the review process of the state being evaluated. The troika is not comprised of the same three-member states for each review—states are selected through drawing lots within the council for each cycle and for each state (Charlesworth and Larking 2015).

Following the review of a state, the Working Group establishes a Report of the Working Group in the outcome of the review process of a state. For my research, I will be using the Report of the Working Group to determine if the UPR affects the level of government respect for women's rights within a state. The Report of the Working Group is the best document to examine for this research because it includes the critiques of different states, as well as giving a summary of the state's discussion and responses.

Like any other international institution, the UPR has a group of skeptics contending that, in order to be fully effective, the UPR must undergo massive restructuring (Alston 2006, Etone 2019). However, many scholars and researchers argue

that the UPR is the most progressive form of human rights analysis that exists to date, and therefore it is highly valuable to the international community (Etone 2019). Because the UN is made up of 193-member states, all 193 of these members have the opportunity for the review and implementation of better human rights practices.

Charlesworth and Larking (2015) note that “[the] UPR process has the potential to bring countries that might otherwise be marginalized or ignored in international rights debates into a common dialogue” (13). Although not perfect, the UPR seeks to work *with*, as opposed to *against*, UN member states to progress human rights conditions all around the world. Currently, the UPR has undergone three cycles: the first cycle from 2008 to 2011, the second cycle from 2012 to 2016, and the third cycle from 2017 to 2021 (Etone 2019).

### *The Effect of Naming and Shaming on Human Rights*

Much of the literature concerning international organizations’ shaming and human rights focuses on the work of (NGOs). This thesis, however, will examine the work of the UPR as a part of the UN, which is an intergovernmental organization (IGO). Public critique, such that is offered by HROs and the UN, generally increases political rights protection (Hafner-Burton 2008). Hafner-Burton (2008) argues that this increase in protection of political rights is because these rights are often times “...easier and less costly...” for a state to change than other rights (713). In essence, even states without much capacity to fix human rights violations usually have the capacity to reduce political rights violations. However, Hafner-Burton (2008) also notes the importance of understanding that some states react poorly to naming and shaming altogether. Sometimes, globally shaming a country can lead to more human rights violations as this

“...global publicity is followed by more repression in the short term, exacerbating leaders’ insecurity and prompting them to use terror...” (Hafner-Burton 2008, 712).

An essential study to the effect of naming and shaming is the Murdie and Davis (2012) piece. Murdie and Davis (2012) found that “...HRO [i.e. human rights international non-governmental organizations/INGOs] shaming can have a powerful impact on basic physical integrity rights...” (13). Publicizing human rights violations (i.e. shaming and blaming) of states has shown to ultimately improve states’ behavior by pressuring a state on an international basis (Murdie and Davis 2012; Ausderan 2014). Moreover, scholars have concluded that human rights international non-governmental organizations (HROs) have a substantial impact on human rights practices in a state (Murdie and Davis 2012), and that governments tend to improve human rights violations given the pressure it places on the government (Ausderan 2014). This thesis argues that these human rights practices extend to the level of government respect for women’s rights in a state.

Though beneficial to the international community overall, naming and shaming is a highly complex process that relies on several factors, especially the relationship from state to state. Terman and Voeten (2017), specifically discussing the UPR, argue that states critique their allied states less harshly than they would a rival state. However, when a state is shamed and blamed by a “friendly” state, “... [the state] will take shaming seriously when it emanates from a strategic partner in order to avoid damaging the relationship” (Terman and Voeten 2017, 2). Given the importance of state relationships, Terman and Voeten (2017) also find that geopolitical affinity, military allies, arms importers, and aid donors often play a role in the recommendations made from state to

state. All of these factors could cause a state to offer less harsh recommendations towards the state under review.

More recently, Carraro (2019) analyzed the strengths and weaknesses of the UPR using semi-structured interviews and online surveys. A major strength of the UPR is the role that NGOs play in the process of pressuring states. Though the UPR itself is not an NGO, “...NGOs...play an active role both in the information-collection and the implementation phases, exerting pressure on government to live up to their commitments” (Carraro 2019, 1083), and thus the UPR plays a similar role on states as NGOs. NGOs aid states in holding them accountable for the criticisms and critiques made in the UPR documentation.

### **Theory**

In this thesis, I pose the question: How does official criticism from the Universal Periodic Review affect the level of government respect for women’s rights in a state? Focusing specifically on the Middle Eastern region, I argue that naming and shaming is not all that effective when the role of non-state actors, such as terrorist groups, come into play. Non-state actors, specifically terrorist groups, essentially act as “busters” to the effectiveness of the UPR, leading to worsened human rights for women. Sanction-busters, or otherwise known as “black knights” (Hufbauer et al. 1990), sometimes come into states and provide foreign aid and assistance to states being sanctioned. In analyzing why sanctions are so likely to fail, many scholars articulate that sanction-busters come into play in a state and wipe out any effect that the sanction intended to have in the first place (Early 2011). Just like sanction-busters effect the stability in a region, terrorist organizations do the same, especially when it comes to women’s rights. However, sanction-busters increase stability while terrorist organizations decrease stability. After a terrorist attack,

governments face instability, must invest resources in maintaining peace, security and their rule (Overgaard 1994). Based on the women's rights literature, I argue that women's rights will be the first to suffer when states are faced with these new resource constraints. When this is the case, the international community will have little impact on the level of respect for women's rights in the state in general.

As Murdie and Davis (2012) contend, for the most part, publicized pressure on a state from the international community leads to better human rights practices overall. However, what happens to the practices of the UPR when violent and oppressive nonstate actors play such a large part in the makeup of a state? More specifically, how are women's rights affected in states where they are often the target group of oppression? The UPR can only do so much when it comes to shaming and blaming a state. I argue that when terrorist groups are involved, the level of respect women's rights will be unchanged or worsened when the UPR names and shames a state. In essence, the UPR's effect on a state is conditional on presence, or lack thereof, terrorist organizations.

### **Women's Human Rights Abuses**



### **Naming and Shaming from the UPR**



### **Terrorist Organizations Act as "Busters"**



### **Any positive effect the UPR could have on Women's Rights is washed out**

*Hypothesis: If there is a high level of terrorist activity in a state, then the effect of the Universal Periodic Review's naming and shaming on a state's respect for women's rights is washed out.*



## **Research Design**

This thesis studies the relationship between the Universal Periodic Review and the level of government respect for women's rights in a state, with specific emphasis on terrorist activity being present in that state. My research examines the Middle East specifically because the Middle East and North Africa (MENA) region contain some of the toughest states when it comes to women's rights abuses, oppression, and terrorist groups. If the UPR's shaming techniques are not effective in these states, then it would be difficult to prove the overall effectiveness of the IGO in cases where it could be the most vital. Although the UPR's reports are important in every state, the Middle East faces a particular oppression on the basis of women's rights than many other states. For instance, women in Saudi Arabia did not get the right to drive until 2018. Child marriages are still common in Iraq. The right to equal education for women is still a fight in the vast majority of MENA states.

The unit of analysis that I am studying is the state. This study collects qualitative data through the particular case study of Iraq, where women's rights are especially oppressed, and terrorist activity is high. The UPR has given three reports for Iraq: one in 2010, one in 2014, and one in 2019. In this thesis, I examine how Iraq responds to the UPR's recommendations, and how terrorist activity has undermined the state's response. According to the Global Terrorism Index, Iraq ranks number two in the world for terrorism (Global Terrorism Index 2020).

### *Methodology*

I conduct a case study on Iraq to examine whether terrorist activity washes out the effect of the UPR. I begin my case study around 2003 at the start of the Iraq war, when women's rights violations began to drastically increase. I then document several women's

rights abuses that occur from 2003 to roughly 2010, right before the start of the UPR's first report. Further, I record and summarize multiple documents that have reported women's rights abuses, such as Amnesty International and Human Rights Watch, to provide evidence that Iraq's state abuses do not go unnoticed by other states or other human rights organizations. Afterwards, I analyze the first UPR report that was released in 2010, and then I examine the second report released in 2014 to analyze whether Iraq was starting to make progress before the 2014 ISIS led terrorist invasion. Finally, I review the last UPR report published in 2019 and compare it to the 2014 report to examine whether the ISIS invasion impacted the progress of Iraq.

#### *Independent Variable*

In this thesis, my key independent variable of interest is international community action. The form of international community action that I will be studying is the Report of the Working Group released by the Universal Periodic Review. The Universal Periodic Review releases national reports for every country in a number of cycles. For example, the Universal Periodic Review released a national report for Myanmar in its first cycle in 2011, in its second cycle in 2015, and in its third cycle in 2021. There are currently 193 states with official Universal Periodic Review documentation, but I will only be focusing on Iraq for this study.

The second independent variable of interest is the level of terrorist activity. Whether a state has faced a large terrorist attack plays a big role in determining the level of government respect for women's rights in a state. I am examining the interaction of UPR naming and shaming with terrorist attacks, arguing that the effect of UPR naming and shaming is contingent on terrorist attacks.

#### *Dependent Variable*

The dependent variable for my research is the level of government respect for women's rights in the state. I define women's rights as discrimination against women, women's access to education, and violence against women. I will be measuring this through the Iraqi case study. The benefit to this type of study is to deeply analyze one state that experiences particularly high levels of women's rights abuses and high levels of terrorism. If the UPR's effectiveness is being put to the test, Iraq is one of the best states to do it.

#### *Control Variable*

Because I only conduct one case study, this thesis has no control variable.

## Results and Analysis

In this section, I analyze a Middle Eastern case study, Iraq, through process tracing. This case study is particularly important because in Iraq, terrorist activity and women's rights abuses are both high. For this case study, the UPR's Report of the Working Group has listed women's rights as a concern for the state's wellbeing overall. Additionally, in this section I will discuss the results of my hypothesis, which stated that when the level of terrorist activity in a state increases, the effect of the UPR on the respect for women's rights decreases.

### *Case Study: Iraq*

#### Process Tracing Map:

Cause: 2003-2010	Part 1: 2010	Part 2: 2010	Part 3: 2014	Part 4: 2014-2018	Outcome: 2019
Iraqi Women's Rights Abuses	Media, press, and human rights organizations report abuses	United Nations releases UPR report for Iraq	ISIS led terrorist attack on Iraq	State responds by restricting women's rights	The possible positive impact of UPR on women's rights is washed out

Iraq has had a long history of human rights abuses, dating back from its independence in 1958, to the start of the Iraqi war in 2003, to the struggles that are still seen today. A state like Iraq, involved in many wars and further complicated with frequent terrorist activity, does not fall short when it comes to inadequacies in human rights. In fact, a key study performed on Iraq found that “nearly half of participating

households in 3 southern cities in Iraq reported human rights abuses among household members between 1991 and 2003” (Amowitz et. al 2004, 1471).

Further and more important to my research, these human rights abuses are most often times targeted towards women. In the post Iraqi war era, “...the situation of women in Iraq since the invasion has deteriorated on various levels: socio-economic, political, legal, and educational” (Al-Ali and Pratt 2016, 76). As a Muslim state in the Middle East, much of Iraq is based around the traditional values of Islam and Sharia Law. Though Islam and Sharia law are not completely limiting in either religious practices or law practices overall, Coleman (2006) notes that “in every country where Sharia is enforced, women’s rights have become a divisive issue, and [there is a] balance struck between tradition and equality in Iraq...” (25). In post-invasion Iraq, however, rule of law has become limited and flawed as the state has dealt with security issues and gender-based violence such as street intimidation, sexual abuse, and forced marriage (Al-Ali and Pratt 2016). Even further, not only do Iraqi women endure abuses outside the home, but inside the home as well. One study on Iraqi women found that “a majority of women (63%) interviewed agreed that a husband is justified in hitting or beating his wife...” (Linos, Khawaja, Kaplan 2012, 627). This same study found that young women and unemployed women are especially vulnerable to abuses inside the home, where education and experience may not be of utmost concern (Linos, Khawaja, Kaplan 2012). For many years, women have fought for equal rights, and while making some advancements along the way, they have also faced many challenges that have ultimately set them back.

One of the more predominant factors contributing to these setbacks has been the newest version of the Iraqi constitution established in 2005. Since the establishment of a new constitution, many scholars and activists have noted the potential setback for

women's rights, stating that the open-endedness of the new wording has caused various conversations regarding different interpretations. Additionally, in part as a result of the constitution,

over the past two years, various towns in both Shiite and Sunni areas have fallen into the hands of extremists who are imposing stringent restrictions there, such as requiring women to wear full length veils, forbidding music and dancing, and enforcing strict segregation of the sexes in public (Coleman 2006, 35-36).

Even further, in the world of the post-2003 American invasion, the Sunni group has faced massive amounts of marginalization (Abdulrazaq and Stansfield 2016).

As an unstable state, Iraq poses a unique and difficult set of challenges when it comes to reporting women's rights abuses. However, many forms of media and human rights organizations have worked to report such abuses.

Amnesty International reported women's rights abuses occurring between 2007 and 2008 in the report "Trapped by Violence: Women in Iraq." Between these years, for example, over three hundred women were severely injured or killed in the Kurdistan Region (Amnesty International 2009). Amnesty International also reported abuses occurring in Iraq in 2009 as an attempt to influence the Iraqi authorities to assess the violations occurring in their state (Amnesty International 2009). According to the Amnesty International report, women are consistently harassed for their religion, shamed for their dress code, and shot for their ethnic origin, where

crimes specifically aimed at women and girls, including rape, have been committed by members of Islamist armed groups, militias, Iraqi government forces, foreign soldiers within the US-led Multinational Force, and staff of foreign private military security contractors (Amnesty International 2009, 3).

Essentially, every woman in Iraq is at risk of being assaulted for their gender by every man in the state, even including family members and friends. Although the report also

notes the international treaties that Iraq has ratified, such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), girls are still being forced to marry as young as thirteen, and women are much less likely than men to become educated (Amnesty International 2009).

In 2010, the UPR released its first report for Iraq. Women's rights abuses, particularly in education, discrimination, and violence, raised speculation in many states, including the Czech Republic and the Netherlands. At the start of the review, Czech Republic asked Iraq, "What measures are being adopted to fight discrimination of women...? What measures are being adopted to strengthen access of girls to education? What measures are being adopted to fight violence against women including "honour crimes?" (UPR, Advance Questions to Iraq, Add. 1). The Netherlands also questioned women's rights, asking, "Are the Government [of Iraq] and the KRG willing to take further steps to prevent honour killings and other forms of (domestic) violence against women? (UPR, Advance Questions to Iraq, Add. 2). Clearly, even before the start of Iraq's UPR report, other states had issues with the women's rights abuses occurring in the state.

During the 2010 review, the UPR's Report of the Working Group included state concerns regarding women in education, discrimination, and violence. Some states complimented Iraq for their progression of women's rights. For example, "[Tunisia] noted the...care taken in establishing strategies for promoting women's rights..." (A/HRC/14/14) and "[Bahrain] noted the improvement in the enjoyment by women of their rights and in their participation in public life" (A/HRC/14/14). While some states commended Iraq for their progress in women's rights overall, the outcome of the review left many states still particularly alarmed about the persistent violence and abuse

throughout the system that women endure on a day to day basis. However, as noted in Terman and Voeten (2017), though every state critique matters throughout the naming and shaming process, the critiques that states take the most seriously depend heavily on state-to-state relationships, major power players like arms importers and aid donors, and regional actors. Given that Iraq is in the Middle East, it is likely that the state will consider condemnations and recommendations from major powers and regional actors the most, those are the actors that this thesis focuses on.

To provide some examples, several states', major powers and regional actors alike, made commendations and concerns regarding women's rights in education, discrimination, and violence are as follows:

1. "[Sudan] commended the Government's interest concerning the role of women and the family, as well as the increase in school enrolment..." (A/HRC/14/14).
2. "Germany noted reports that 'honour crimes' against women continued to be frequent and that laws against domestic violence were still lacking" (A/HRC/14/14).
3. "[The United States] expressed concern about the protection of... women..." (A/HRC/14/14).

In the Report of the Working Group, women were mentioned 56 times, so it is clear that this was an important topic to be addressed in Iraq. Over 60 states commended and/or criticized Iraq for women's rights and nearly 200 recommendations were made to improve Iraq as a country. Some of the state recommendations that Iraq supported regarding women included:



1. “Strengthen measures in response to reported violence against women and girls, and, in the worst cases of honor crimes and end impunity (Japan)” (A/HRC/14/14).
2. “Investigate thoroughly crimes against women and minorities and fully implement laws intended to enforce constitutional protections for women and minorities, including laws against discrimination (United States)” (A/HRC/14/14).
3. “Commit fully to the implementation of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (Italy)” (A/HRC/14/14).

Although some states commended Iraq for their women’s rights, more states remained concerned and alarmed for state women’s rights.

Since the 2010 UPR Report of the Working Group, Iraq adopted a “National Strategy to Combat Violence against Women” (A/HRC/28/14) and a national strategy to enact “Security Council Resolution 1325 (2000) on women, peace and security” (A/HRC/28/14). Additionally, the report noted the implementation of the Law on Combating Domestic Violence, which “...prohibited female genital mutilation (FGM) and criminalized forced and child marriages, verbal, physical and psychological abuse of girls and women, child abuse and child labour” (A/HRC/28/14). This law also created and established four courts to specifically address situations of domestic violence among women and emphasized training for law enforcement officials with judges and police officers. Further, after the 2010 review, Iraq sought to enact the CEDAW and the National Strategy against Violence. Since 2010, Iraq also sanctioned forced marriage.

Four years after the 2010 Report of the Working Group was released, Iraq faced a large terrorist attack on the state, leaving the heavy presence of the Islamic State (ISIS) a large contributing factor to the women's rights abuses that continue to occur in the state, even today. In June of 2014, ISIS invaded the main northern cities of Iraq: Samarra, Mosul, and Tikrit. Coming as no surprise, the presence of ISIS led to a humanitarian crisis revolving around regularly occurring rapes, kidnappings, and forced marriages of many women and young women. Regarding the 2014 invasion, Davis (2016) notes that "Within days, credible reports began emerging of ISIL fighters abducting and raping women" (28). ISIS's presence has left much of the Iraq population, but especially women, vulnerable and susceptible to experiencing things like unemployment, poverty, and sexual exploitation (Al-Ali 2018). With this invasion came a loss of control within the entire state, and when a state loses control, women are often one of the first groups to reap the consequences. Moreover, one of ISIS's main goals is to present a male-dominated, militarized, assertive society where women have little to no rights. Al-Ali (2018) states, "...trafficking, forced prostitution, female genital mutilation, and honour-based crimes, including killings, have been very much part of the post-invasion experience" (18).

While making some improvements, like implementing the Law on Combating Domestic Violence and CEDAW, since 2010, the 2014 report heavily emphasized the presence that ISIS had made in Iraq. The report stated that that ISIS was responsible for war crimes, crimes against humanity, and genocide, especially against women. With ISIS in Iraq, women were more vulnerable to being forced into sex trafficking and marriage (A/HRC/28/14). More specifically, the Yazidi Kurds remained one of the most susceptible groups to mistreatment among ISIS, where "...thousands of Yazidi

women/girls and children had been taken as sex slaves. Such acts clearly constituted crimes against humanity involving the intention to commit ethnic cleansing and genocide” (A/HRC/28/14).

Several major powers and regional actors noted Iraq’s situation:

1. “Lebanon commended Iraq for enacting legislation to protect NGOs and the rights of journalists and to combat human trafficking, and had adopted policies to combat poverty and violence against women, despite security challenges” (A/HRC/28/14).
2. “The Sudan appreciated efforts made, particularly on the rights of women and children with disabilities, through the adoption of the National Strategy to Combat the Violence against Women, and the maternal and child health-care strategy, and the accession to CRPD” (A/HRC/28/14).
3. “China commended Iraqi efforts to fight terrorism, promote national reconciliation and protect women, children, and ethnic minorities... It noted the...increasing school enrolment and women’s employment” (A/HRC/28/14).

Many states also gave recommendations regarding women’s rights:

1. “Review its legislation and practices that are discriminatory against women and step up efforts to eliminate all forms of discrimination and violence against women in all domain of life (Tunisia)” (A/HRC/28/14).
2. “Implement its recently enacted National Action Plan on Women, Peace and Security, and in the ongoing conflict with ISIL, take measures to promote the protection of women, including those held captive by ISIL (United States of America)” (A/HRC/28/14).

3. “Take additional measures to combat trafficking in persons, in particular women and children and impose appropriate sanctions against perpetrators (Bahrain)” (A/HRC/28/14).

The 2014 Report of the Working Group mentioned women 82 times, and 94 states commended and/or critiqued Iraq for its current situation. 229 state recommendations were made during the 2014 report. Iraq saw an increase in the mentioning of women, critiques and commendations, and recommendations since the 2010 report. During the 2014 review, it is clear that Iraq made some improvements regarding women, such as adopting the National Strategy to Combat the Violence against Women and increase women’s educational enrollments, but with the presence of ISIS, these efforts could not reach full potential as many states remained concerned about the conflict with ISIS and the toll it took on women as a whole. While the state was making progress, it was also dealing with powerful outside sources of conflict and violence.

Despite the progress made from the 2010 review to the 2014 review, Iraq continued to persist in women’s rights violations. In 2015, the UN published a report under the International Covenant on Economic, Social, and Cultural Rights (ICESCR) entitled “Women’s Human Rights Violations in Iraq.” This document expressed major concerns regarding the status of women’s rights in Iraq. For example, the document stated that “the Iraqi Government does not provide adequate shelter to women fleeing violence in Iraq and prohibits Iraqi NGOs from providing such services” and “women [are] Denied Access to Government-issued Identification” (Khamis 2015). In Iraq, NGOs cannot provide shelter to women who have been domestically abused or human trafficked. Currently, with millions of displaced people in the state, this inaccessibility to humanitarian assistance remains a large issue. Even further, women cannot receive

government identification, such as a passport, or leave the state without a male present. This becomes a major problem when women *trying* to escape domestic abuse or human trafficking by themselves. While explaining and shedding light on the inequality occurring in the state, this document also offered suggestions and recommendations for improvement for the Iraqi government.

Additionally, in 2015, the Minority Rights Group International published a report called “The Lost Women of Iraq: Family-based violence during armed conflict.” This report intended to highlight vulnerable groups of Iraq, such as women. According to this report, “...6 per cent [of females] marry before they reach 15” (Puttick 2015, 32). The legal age of marriage in Iraq is eighteen, making this statistic even more brutal. Further glorifying the patriarchy is the fact that fathers can permit their daughters to get married as young as fifteen. Although not considered a legal women’s rights abuse in Iraq, it still faces detrimental consequences, especially because “early marriage has severe consequences for girls... [such as] an end to the girl’s education...[and] domestic violence” (Puttick 2015, 10). As per the Universal Declaration of Human Rights, all humans have the right to education, and one could argue that getting married at fifteen is, at least in part, responsible for taking away this right. “The Lost Women of Iraq” includes the response of the Iraqi federal government and the Kurdistan Regional Government, however these responses only state the law, and all of these laws are clearly not being abided by in Iraq. For instance, although marriage before eighteen is technically illegal, it still happens. Although forced marriages are prohibited, “Between...2014 and 2015... [there were] a total of 111 cases of forced or early marriage in Iraq” (Puttick 2015, 14).

More recently, in 2019, Human Rights Watch reported several human rights abuses particularly surrounding women. According to Human Rights Watch, the

organization “...documented a system of organized rape, sexual slavery, and forced marriage by ISIS forces of Yazidi women and girls from 2014 to 2017” (Al-Mousily 2019). These ISIS forces have not been convicted for these crimes, further upholding the violent nature of the state. Additionally, Human Rights Watch reported the few protections women have that protects them from domestic violence, specifically in regions controlled by Baghdad (Al-Mousily 2019).

Given the reports from the UN, Minority Rights Group International, and Human Rights Watch, it is clear that the effects of the ISIS invasion lingered for many years, especially in terms of women’s rights. However, the UPR’s 2019 Report of the Working Group only discussed the effects ISIS had on the state three times throughout the entirety of the report. The only states that noted concern regarding ISIS were Myanmar and Syria. Syria stated that they wanted Iraq to “Develop strategies to address the prevalence of poverty in the provinces that have been directly targeted by ISIS terror” and to “Continue to address the challenges posed by internal displacement resulting from the ISIS terrorist organization” (A/HRC/43/14). Despite only mentioning ISIS three times, Iraq noted some improvements in women’s rights since the 2014 report, including adopting policies to combat violence against women and enhance women’s reproductive health. The exact policies that were adopted, however, were not made clear in the report.

The Kurdistan region of Iraq, though, made several improvements to women’s rights within the region. They adopted Law No. 8 of 2011, aimed at protecting women’s rights. The Kurdistan region also began working with the Ministry of Justice to combat violence against women. Because of the amount of displaced persons within the region, the region helped set up camps and offer rehabilitation centers, targeted especially for women.

Of the major actors and regional powers that participated in the interactive dialogue with Iraq, most of the states offered positive feedback in women's rights. No major power mentioned women's rights in their feedback, and only one regional actor offered insight:

1. "Algeria welcomed the plans focusing specifically on reducing poverty and combating violence against women" (A/HRC/43/14).

Some major powers and regional actors offered recommendations, including but not limited to:

1. "Pass adequate legislation to fight and prevent domestic violence and create safe houses for women in all provinces of Iraq (Germany)" (A/HRC/43/14).
2. "Continue its efforts to promote the human rights of women and children, particularly in rural areas (Islamic Republic of Iran)" (A/HRC/43/14).
3. "Continue the implementation and the national strategy to combat violence against women and to promote protection of women's rights (Lebanon)" (A/HRC/43/14).

The 2019 Report of the Working Group mentioned women 104 times, a huge jump from the past two reports. However, the critiques and commendations that were made were not as negative as they had been in past reports, which is surprising given the evident women's rights abuses still occurring in the state with the continuous presence of ISIS. 111 delegations critiqued and/or commended the state for its progress, and 298 states made recommendations for Iraq. Though Iraq increased in its mentioning of women and critiques and/or commendations, ISIS's presence and the effects it had on the state was only mentioned three times, and only one major power and regional actor

mentioned women's rights. As a whole, women's rights were viewed more positively than the past two reports.

### **Conclusion**

Before the UPR began releasing reports for Iraq, women's rights in the state have been inferior and inadequate compared to other countries (Vilardo and Bittar 2018). As revealed throughout my case study, women often faced discrimination in the form of religious practices, ethnic origin, and appearance (Amnesty International 2009). Women constantly remained at risk for assault, inside and outside the home. Given the common presence of forced marriages for young girls and unemployed women, access to education was restricted and limited (Linos, Khawaja, and Kaplan 2012). Women were also constantly at risk for assault, both inside and outside the home. Before the UPR's reports were published, women faced consistent violence through domestic abuse, female genital mutilation, and street intimidation (Linos, Khawaja, Kaplan 2012; Al-Ali and Pratt 2016).

Overall, the UPR addressed women's experiences in discrimination, loss of education, and violence throughout the UPR's 2010 Report of the Working Group several times. The consensus of the 2010 report left many states alarmed by the violence in the form of honor crimes and the protection of women as a whole. States wanted to see Iraq respond to violence against women and implement laws against discrimination. Specifically, Italy wanted to see Iraq implement the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (A/HRC/14/14).

After the 2010 report was released, Iraq's response was to pass laws to improve the situation for women in discrimination, education, and violence. The state, for example, adopted a National Strategy to Combat Violence and implemented the Security



Council Resolution 1325 (2000) to protect women in peace and security. Iraq also implemented the Law on Combating Domestic Violence and enacted CEDAW.

Despite making efforts to improve the women's rights situation, following the large 2014 terrorist attack in Iraq altered the priorities of the state and more abuse against women flourished. Many human rights organizations, such as the UN, Minority Rights Group International, and Human Rights Watch reported abuses that continued to occur towards women. Women fleeing violence could not find adequate shelter, forced marriages between young women still occurred, and ISIS consistently raped women and forced them into sexual slavery (A/HRC/28/14).

The 2014 Report of the Working Group noted the effects ISIS had taken on the state after the terrorist attack on major cities in 2014. ISIS's presence increased war crimes against women and made women more vulnerable to sex trafficking and forced marriage (A/HRC/28/14). The Yazidi Kurds of Iraq specifically faced horrible consequences, like rape and sex slavery, as a result of ISIS. While many states commended Iraq for things like adopting the National Strategy to Combat Violence against Women and increasing the female employment rate, major powers such as the United States still remained concerned about the conflict with ISIS and its impact on women.

The UPR's 2019 Report of the Working Group revealed that contrary to my expectations, Iraq continued to make improvements since 2014 in education, discrimination, and violence, which does not support my hypothesis. In my hypothesis, I argued that a terrorist attack would wash out the impact of the UPR's progress as the state altered its priorities away from women's rights, but Iraq continued to make some progress in these areas, especially as states like Algeria, Iran, and Lebanon welcomed the

state's efforts to combat violence against women and protect women's rights (A/HRC/43/14). The Kurdistan region of Iraq specifically made improvements through adopting the Law No. 8 of 2011 and working with the Ministry of Justice to combat violence against women. Overall, the report more positive than I anticipated based on the negative reports by large human rights organizations. While this does not support my original hypothesis, it raises an interesting question for the further exploration: why are states less critical of one another around human rights abuses than major human rights NGOs? Is this discrepancy between the UPR reporting and the Amnesty International and Human Rights Watch reporting on Iraq a factor of state behavior or NGO behavior?

Based on my case study of Iraq, I can conclude that terrorist attacks do not seem to undermine state responses to women's rights, though it is important to remember that this analysis provides only a small picture of the many complicated issues around terrorism and women's rights in the country. From 2010 to 2014, it was evident that Iraq was making progress on women's rights based on the naming and shaming towards the state in the 2010 report, but the state did not reach its full potential for change by the 2014 UPR Report, as many states remained concerned about the presence of ISIS and the effect it had clearly had on women's rights. In the 2019 report, however, ISIS was only mentioned three times, despite the terror attack occurring during the time period between the two UPR reports. If the ISIS attack washed out the effects of the UPR's pressure on Iraq, then the 2019 report would have been far more negative about the overall state of women's rights in the country. Perhaps the leadership of Iraq learned over time how to adjust to ISIS behavior, including terrorist attacks, in the country. The small-time horizon of this case study would not capture such a long-term effect. It might also be that outside factors, such as increased funding for women's rights initiatives from the international

community, played a role in mitigating the impact of the ISIS attack on the state's ability to provide protection and services for women, especially given the attention from neighboring states prior to the 2019 UPR Report. Either of these possibilities suggest further examination of this puzzle is warranted.

Future work in this area could provide a comparative analysis with other country/countries to illustrate the process and causal mechanism more clearly. I aim to conduct another case study using a Middle Eastern state that has low terrorist activity, such as Qatar. This kind of case pairing would allow me to trace the same process through a similar state to examine the trajectory of progress on women's rights without a shock like a terrorist attack to strain state resources. Comparing to Iraq could reveal more nuanced changes in state support for women's rights than is evident from a single case study. Eventually, a regional analysis with case studies across the Middle East could provide a much more robust understanding of the role of the UPR in addressing the rights of women in one of the most restrictive regions in the world. Ultimately, addressing women's rights in the Middle East is a difficult task for international actors of many kinds. The more we can understand which tools available to the international community make the most significant difference, the further we can improve the lives of women around the world.

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