Conference: TEAMUN
Commission: ECOSOC
Topic 2: Imposing UN sanctions onto nations who exempt perpetrators from gender based violence because of religion and culture
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1. Introduction

In the present time, every nation is expected to uphold fundamental social principles, yet in reality this duty encounters profound obstacles. Nations oftentimes grant leniency, exemptions or legal immunity to perpetrators of gender-based violence (GBV) under the guise of religious tradition and the preservation of essential cultural values. Practices such as domestic abuse, forced marriage and honor-based crimes persist due to legislation which permits and actively shields culprits from taking full accountability. On one end, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) states firmly that member states must take action to "modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices" to ensure rightful equality of all citizens. In context, the article implies that religion and culture should not be used as a shield for discrimination, however while explicitly stated, one finds that the vulnerable are inevitably unprotected.

To bring a solution to this dilemma at hand, the international community proposes the enforcement of economic sanctions against governments that uphold these discriminatory laws and regulations. Supporters of this preposition view that the threat of sanctions and enforcing them guarantees that certain governments will deter their laws and fix loopholes in their systems. Meanwhile, those against see that financial penalties will harm innocent civilians and interfere with a nation's sovereignty.

2. History of the Topic

Historically, there were various attempts to target and end discrimination against women embedded in culture and religion, however the most significant to explicitly implore nations was the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). This legislation was adopted by the UNGA in 1979 and the specific part which tackles this issue is Article 5(a). Its objective was to eliminate all prejudice against women in all shapes and forms, specifically practices and customs rooted in the inferiority or superiority of one gender. It required states to abolish existing laws that discriminate against women. Furthermore, the Maputo Protocol put an end to impunity and targeted patriarchal customs that protected domestic abusers that used to label cases

of domestic violence as “private family matters” and finally the Beijing Platform for Action reaffirmed that regardless of political, economic or cultural systems the most fundamental key was to promote the freedom of women. Here, this platform actively sought to prevent religious and cultural justifications for discrimination.

3. Key Issues and Tensions

The economic consequences and Financial damage that happen when governments protect certain people from legal consequences.

When a state fails to prosecute perpetrators of GBV, victims and survivors may impact the economic stability. Violence against one causes long term psychological trauma, fatal physical injuries and mental health challenges that can stretch on for a long period of time. This diminishes an individual's physical and mental capacity to perform labor. Moreover, children growing up in households with normalized violence experience stress, leading to developmental delays and lower educational abilities which directly compromises the future workforce.

The shrinkage of the workforce and reducing overall productivity

Survivors experience high rates of missed workdays or severely reduced productivity while at work due to trauma or distraction, lowering overall efficiency.

Destruction of GDP

When a significant percentage of the workforce is unable to work at full capacity, the output of the entire nation as a whole significantly drops.

The Violation of National Independence

Most nations want the right to govern their own laws without any interference, penalizing countries economically may be seen as a form of disrespecting traditions and sovereignty.

The Accidental Harm to Innocent Civilians

Broad economic punishments may unintentionally hurt the very people they are trying to protect, especially women and children.

4. Past UN and International Action

The United Nations has traditionally addressed these issues through resolutions and technical frameworks:

- The Commission on the Status of Women (CSW) that operates under ECOSOC overviews national laws and pushes member states to remove legal loopholes that excuse GBV
- UN Women and UNDP work with ECOSOC to provide financial aid to survivors and support shelters

5. Conclusion

ECOSOC plays a crucial role in ensuring that economic growth is done in accordance with human dignity and social justice. When perpetrators of GBV are given immunity due to their cultural or religious background this disregards basic human rights and hinders social and economic growth within a nation and it is vital that effective diplomatic solutions are brought to eradicate the legal immunity around GBV due to culture and religion.

6. References

- https://ecosoc.un.org/en
- https://ecosoc.un.org
- https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-elimination-violence-against-women
- https://hrlibrary.umn.edu/iwraw/culture_custom_womensHR1999.html
- https://www.refworld.org/legal/resolution/cedaw/1992/96542