



CLADEM IN SOLIDARITY WITH WOMEN LIVING UNDER MUSLIM LAWS

CLADEM¹ states its deep concern and indignation on account of the public statements made by the National Transition Council (NTC) of Libya on October 23rd last, declaring that the “Sharia” (Islamic Law) shall be a source of legislation for the new regime, establishing the immediate incorporation of polygamy, without any impediments, based on the fact that the Islamic Law does not prohibit it.

We totally agree with the reflections made by Women Living Under Muslim Law (WLUML), who in their statement dated October 25th ², manifest that in view of this declaration by the NTC, women shall become the direct target of this change in the laws and will lose many of their acquired rights. Likewise, it is necessary to ask ourselves which will be the “Sharia” that will be applied in Libya, knowing that the laws denominated Islamic, laws that are said to be derived from the Islamic jurisprudence or “Fiqh”, or considered in conformity with the Islam, vary enormously from one country to another. **The interpretations of this law on the part of the patriarchal system have managed to legitimize the roles, stereotypes, discrimination and violence, which goes against women’s human rights.**

Libya has acknowledged the supremacy of the CEDAW Convention over the national legislation, which in the General Recommendation N° 21 of the Committee on equality in marriage and in the family relationships, sets forth that polygamy violates women’s right to equality with men and could have emotional and economic consequences, very serious for them, as well as for their family members and that it should be discouraged and prohibited.³

WE INVOKE academia, civil society, social movements, regional and international organizations to remain alert regarding the consolidation of the democratic system in Libya, so that the promotion, monitoring and defense of women’s human rights be real, and that the violation of women’s human rights be considered an affectation of the rights of society as a whole. Furthermore, we **STATE OUR REJECTION**, in a timely and categorical manner, vis-à-vis any policy or measure that leads to the systematic violence endured by women, justifying them in the name of Islam, such as the crimes of honor, domestic violence, female genital mutilation, stoning and other corporal punishments, which contravene the international instruments⁴ signed and ratified by the State of Libya.

Our solidarity is with the women living under Muslim laws!

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¹ The Latin America and Caribbean Committee for the Defense of Women’s Rights, CLADEM, articulation engaged in the promotion and defense of women’s human rights, which groups together non-government organizations in 14 countries of the region. We possess Consulting Status, Category II, before the Economic and Social Council of the United Nations since 1995 and in UNESCO since May 2011. International organization that in March 2009 was awarded the Rey de España Prize for Human Rights in its Third Edition and in 2010 received the Gruber Award for Women’s Human Rights.

² <http://www.wluml.org/action/women-living-under-muslim-laws-statement-libya>

³ It is worth noting that the practice of polygamy had decreased in Libya as a consequence of Law N° 10 of 1984. The Committee for the Elimination of Discrimination against Women – CEDAW, in the final observations during its 43rd sessions period, in February 2009, had classified as a positive aspect this law, since it constituted a step forward in the abolition of polygamy.

⁴ The International Pact on Economic, Social and Cultural Rights, the International Pact on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatments or Penalties, the Convention on Children’s Rights, the International Convention on the Protection of the Rights of all the migrant workers and their families, the International Convention for the protection of all persons against forced disappearance and the Convention on the Rights of the Handicapped Persons.