

COMMITTEE GUIDE

UNCSW



UNITED NATIONS COMMISSION ON THE STATUS OF WOMEN

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Presidents' Letter

Dear Delegates,

We are Susana and María José and we welcome you to this year's edition of CCBMUN. It is an honour to be your presidents for UNCSW this year. Being 12th grade students that have had experience in several models over the years, we understand the importance and occasionally the pressure that these models represent. They are a way to transmit well-structured and comprehensive arguments regarding global issues that, in some way or another, involve us all, no matter if you are a student preparing to be a delegate for the first time, or, in our case, a president managing a committee. So foremost, we intend to support and help you through every step of the way, as learning how to use your voice and skills in matters such as this is crucial for achieving what most consider a 'better world'. We also want to encourage you to take this experience in a respectful and serious manner.

UNCSW is a committee based around the protection and empowerment of women. It is one of the most recently founded official UN committees, being established in 1996, but nonetheless one of the most relevant in today's sociopolitical climate. The debate topics we chose are based on such current issues that revolve around legislation, international cooperation, and economic development, all of which are aimed at aiding women's status worldwide. From our simulation topic we intend for you to be open minded towards what is to be discussed, to be objective about the actions needed in order to effect change, and be creative regarding said solutions—we want to hear the best representation of your countries' interests and how well they address the matter in question. This year, education in the sub-Saharan region, women's reproductive rights, and impunity in cases of violence against women will be addressed.

Above all, we want to make sure your experience in this model is enjoyable. As such, in case you have any queries about the topics, your role, or about the model itself, don't hesitate to contact us. We will be happy to help.

Yours sincerely,

Susana Usuga and María José Medina (UNCSW Chair)
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Topic 1: Evaluating the protection of women's reproductive rights

I. History/Context

Evolution of reproductive rights

Reproductive rights for women have been an issue for women since the earliest civilisations. In ancient Egypt, where some of the first documented medical practices come from, it was discovered how matters of reproduction for both men and women were treated. Though this was a practice believed to be entirely dependent on nature and fate, *“Medical papyri point to the existence of chlamydia and gonorrhoea but not syphilis, various methods of contraception, and treatment for women with symptoms of genitourinary infection”* (R. Sullivan, 1997). Doctors were men of high social standing whilst midwives worked with women in pregnancy and birth. At that time no real restriction had been made regarding access to, or the moral nature of, reproductive rights. This trend was extended through MENA (Middle Eastern and North African) countries as well as southern and eastern Asia.

A notable case, and the origin of the religion-based argument against the protection of reproductive rights, comes from Pope Sixtus V in 1588, who defined any intervention in the process of conceiving a child - from contraception, abortion, and even miscarriage - as nothing other than sacrilege, which could only be dealt with and penalised by a bishop. The sentence for these practices were exile and excommunication from the church. It stated that these practices were homicide if they had ended the life of an unborn child bestowed with a rational soul, (which supposedly happened between 40 and 90 days after conception. However, these early legislative measures were more complex, as the women were not the exclusive culprit in these cases. For example, husbands who beat their wife and caused her to miscarry were guilty of homicide, or an apothecary who devised any type of remedy to prevent or eliminate pregnancy was also a culprit in the death of an unborn child. Still, both abortion and contraception were widespread practices that were rarely documented by the Catholic Church, yet the moral sentiment about sexual education as taboo, and methods of contraception as homicide, are prevalent even in today's political climate.

What is now known as modern gynaecology is the result of the experiments performed by Dr. James Marion Sims, who perfected his experimental gynaecological procedures on black enslaved women, without anaesthesia or pain relief. His research was a breakthrough in a context where women were commonly not subjects of treatment in the field, both because female involvement in the profession was limited, and because of social beliefs that defined women as “intuitive beings” whose bodies could manage themselves (Livia Gershon, 2018). Dr. Sims recorded up to 30 operations on the same woman as he tried to solve a particularly nasty problem that affects some women after birth. Although he finally perfected the technique, his treatment of the black slave women was often highly questionable. Additionally, these abusive practices were not something exclusively performed on women of colour, but also happened to men. A prime example is [the Tuskegee experiment](#) to understand the consequences of untreated syphilis by the United States Public Health Service (USPHS) on 600 Black men who didn’t consent to being participants (CDC, 2022).

This shows how reproductive rights, and our knowledge of the extent of the medical treatments and accessible care this term covers, comes from the sacrifice and historical struggle of minorities. This highlights the point of acknowledging the demographics who are mostly affected by issues regarding reproductive rights and ownership over their own bodies, as well as the ethics behind medical procedures. Again, the social definition of human at that time excluded women and people of colour, hindering progress in fields that many would likely benefit from in the future. (A. Christoffersen et al, 2022)

Restrictions: a legal overview

Apart from the medical overview of the history of reproductive rights, the legal framework that has always accompanied it is key in addressing today’s problems and in finding reasonable solutions. Nonetheless, these legal restrictions and responsibilities are different for each region or country. Out of the most important referenced cases are the following:

North America

United States: From the formation of the American Medical Association (AMA), which held



reproductive health workers in low esteem and was exclusively composed of male members, the legislation about abortion and contraception was commonly referred to as a “*century of criminalisation*”. In the US, by 1880, all states had prohibited and penalised abortions, except in particular cases, which still depended upon the medical board, composed of 95% men. This same legislation did not change, and by 1930, unsafe obstetric and gynaecological practices such as abortion were the cause of death of about 18% of women at the time. It was not until the early 1970s that the court ruled in favour of *Roe v. Wade*, which deemed the 14th amendment broad enough to include women’s decisions regarding their own body. Additionally, the Hyde amendment was shortly put into place in order to protect minorities and include them in the recent *Roe* court ruling.

Latin America

Motherhood, sexually transmitted diseases, abortion, and practically all topics regarding reproductive health were not historically addressed by South American, particularly Latin American, countries which have only recently ruled in favour of protecting and informing their citizens about this topic. Most progress was made on legislative matters regarding the protection, access, funding, and limitations of reproductive healthcare during the 2000s after the Gender Equality observatory for Latin America and the Caribbean made observations regarding the lack of progress in this area:

- Seven of the participating countries (Mexico, Colombia, Paraguay, Venezuela, Ecuador, Bolivia, and Cuba) have constitutions that directly refer to the State’s duty to guarantee sexual and reproductive health.
- Six countries (Cuba, Dominican Republic, Ecuador, Mexico, Peru, and Bolivia) have provisions regarding access and general health laws. Guatemala has similar legislation under the 2001 Social Development Act.
- Gender equality laws enacted in the year 2000 by Panamá, Honduras, Perú, Nicaragua, and El Salvador include provisions to protect the rights of women and girls.
- Argentina, Guatemala, Uruguay, Chile, and Paraguay have specific laws on sexual and reproductive health focused on public management capacities, budget, rights of

users, and responsibilities of public institutions.

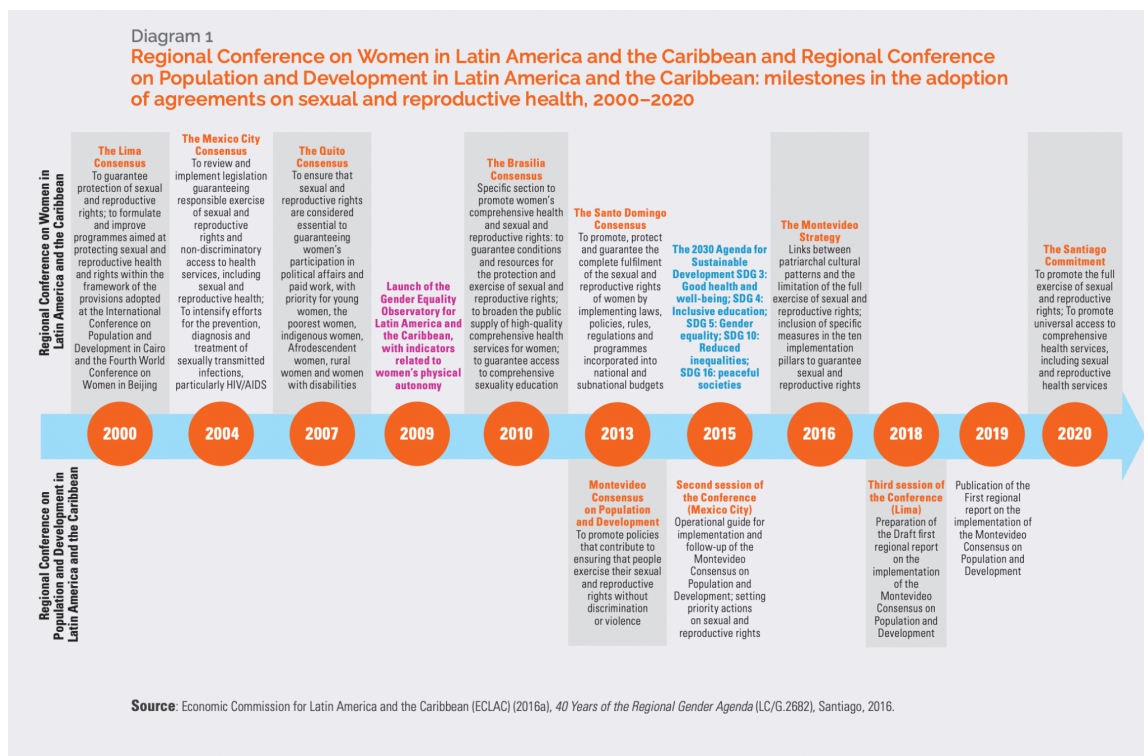


Figure 1: CEPAL, 2016

African and Middle Eastern countries:

In 1994, the Conference on Population and Development (CPD) set the goals and purpose for the creation of The Maputo Protocol, an instrument for ensuring human rights, including reproductive autonomy and the protection of women from a legal standpoint. It is focused on reducing maternal mortality rates caused from unwanted or unsafe pregnancies, meaning it is based around free and safe access to abortion. The protocol recognises this procedure as a right in cases of incest and rape, and if it represents an endangerment of the mother's mental or physical health. However, even if the Maputo Protocol has been recognised as a "step in the right direction" few North African countries have signed or ratified the protocol.

Among those who have signed the protocol: Tunisia and Sudan are included (Sudan signed



but has not ratified the laws); Algeria ratified, but struggles with the application of the established conditions; and Mauritania ratified the protocol but not its laws (due to this, abortion is criminalised under their penal code).

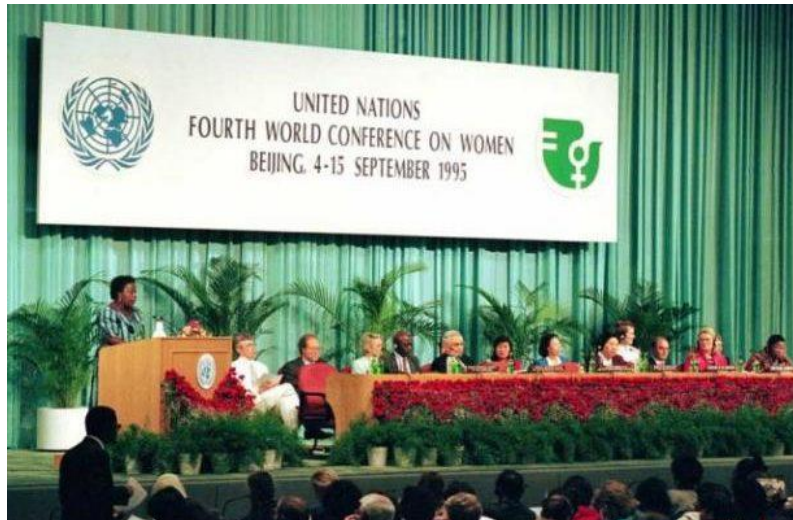


Figure 2: The Fourth World Conference on Women in Beijing, 1995, UN website

Worldwide Situation

Finally, during 1995, The Beijing Declaration was designated as the most progressive blueprint for the universal declaration and inclusion of women’s reproductive rights into the human rights charter. It was affirmed by 189 countries, and it covers access to education, protection of victims of sexual violence, access to contraception methods, and celebrated the various movements and communities that have been created from the active fight for these rights. As the declaration is close to turning 30 years old, the question remains if this has been useful and if the great difference between a course of action in theory is as viable as a course of action in practice.

II. Current Situation

As time has proven to be a way to measure progress, there has undoubtedly been great progress that seeks to protect not only women’s freedom and right to decide over themselves, but also the wellbeing of everyone else, around the world. Nonetheless, factors

like religion, socio-economic status and culture are still the modern challenges needed to be addressed in many countries.

As the United States Supreme Court stated, *“The ability of women to participate equally in the economic and social life of the Nation has been facilitated by their ability to control their reproductive lives.”* (USNews, 2023). The socio-economic status of a person greatly influences statistics related to fertility rates, teenage pregnancy rates, life expectancy, maternal mortality, and even literacy. For a child, disease and conditions related to reproduction, are some of the things that determine the opportunities and quality of life they can expect. Disparities within the population hinder development. In the case of abortion, the costs and implications of undergoing the procedure are high. Whilst it may not be a significant problem for many, that is not always the case, leading to cheaper but unregulated procedures that may put the life of the patient in danger.

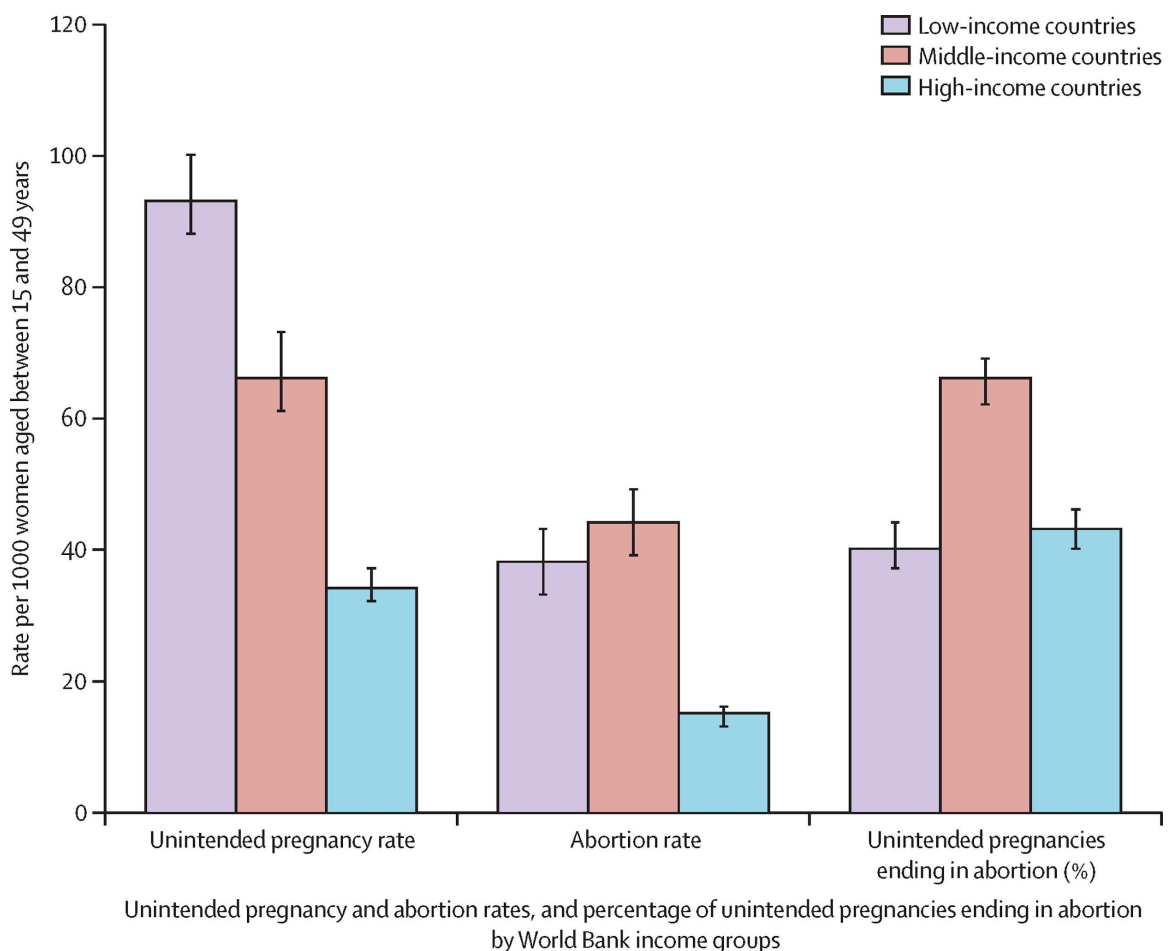


Figure 3: The Lancet, 2017

To finalise, it is important to note how previous legislation and measures to protect reproductive rights and to ensure safe and quality reproductive care have been repealed in some parts of the world. This is due to a rise in conservative ideologies and strong religious-based moral beliefs, which determine that this type of medical care is immoral. The overturning of [Roe V. Wade](#) marks an important point in this committee, as it is an example of modern-day regulations that seek to revert what many regard as advances made in the field of reproductive rights. Since the pronouncement was made by the US Supreme Court in 2022, the right to an abortion is no longer protected under the US constitution. From that moment, many states took upon implementing restrictive laws related to gestational age and protective emergency procedures (related to rape, incest, fetus malformation, or pregnancies that attempt against the mother's life). This has resulted in it being more difficult for some women and girls to get an abortion, even in the case of rape.

The following link will give you an overview of what has been happening with abortion laws around the world in the past few decades: [Abortion Law: Global Comparisons](#)

III. Key points of the debate

- Effectiveness of current legislation focusing on reproductive rights.
- Barriers and limitations women face due to limited access or restrictions regarding their right to bodily autonomy.
- Relevance and impact of cultural and religious factors on worldwide policy regarding women.
- Comprehensive sexual education: framework, implementation, and results.
- Economic aspect of reproductive healthcare and its impact on development.

IV. Guiding questions

1. Does your country have any specific legislation focused on abortion, contraception, and sexual education?
2. To what extent does religion and culture influence your country's policy? Is it stated that your delegation is a secular state?



3. How does the affordability, availability, and quality of reproductive healthcare vary across different regions or socio-economic groups in your country?
4. What are the potential challenges and opportunities in implementing and monitoring the proposed policy recommendations?
5. Historically, has there been any activist movement promoting reproductive rights in your country?
6. What are your country's statistical rates on contracted STDs and teenage pregnancy annually?

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Figure 1:

Gender Equality Observatory. (2021, December 29). *Sexual and reproductive health laws in Latin America, 2021*. CEPAL. Retrieved November 5, 2023, from https://oig.cepal.org/sites/default/files/c2100783_web_0.pdf

Figure 2:

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Figure 3:

Unintended pregnancy and abortion by income, region, and the legal status of abortion: estimates from a comprehensive model for 1990–2019. (2019, Julio 22). The Lancet. <https://www.thelancet.com/journals/langlo/article/PIIS2214-109X%2820%2930315-6/fulltext>

Topic 2: *Women's representation in justice*

I. History/Context

Ancient and Classical Periods:

Participation of women in justice during the ancient world was extremely limited in most civilisations, granting them little to no representation in this aspect. For example, in ancient Greece, women had few rights in comparison to men, and lacked almost any representation in the legal system and justice. Women in some city-states were not considered citizens so they were mostly taken into account solely for domestic jobs. (Cartwright M. 2016)

Middle Ages:

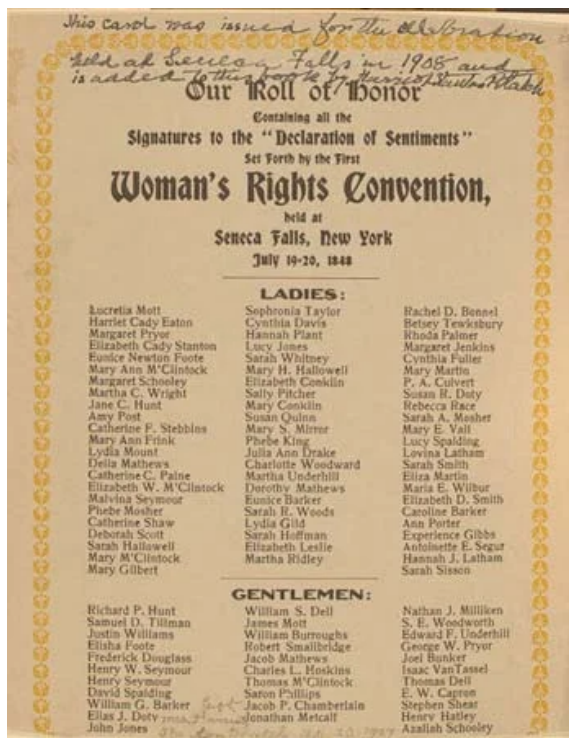
Although the treatment of women in Europe during the Middle Ages varied across regions, there were common challenges in accessing the legal system. Women in the Middle Ages were treated like a completely different group, regardless of their socio-economic status. During this time, feudal norms were heavily influential in the justice system, leading to exclusion and low participation of women in justice and legislative systems. Women were legally dependent on their husbands, meaning that they weren't considered reliable in legal aspects in comparison to men, giving them difficulties in seeking justice or pursuing legal matters by themselves, for example, they couldn't sign contracts or be witnesses in court.

Enlightenment:

In the 17th and 18th centuries, discourses about intellectual freedom, happiness and equality became prevalent on both sides of the Atlantic. Philosophers started speaking about the use of reason to change the world view and to prioritise humanity and culture. Around this time, in various regions of Europe, Great Britain and America, discourses about Women's Rights started to become prevalent. Women themselves became influential thinkers, and started voicing their opinions on women's roles and intellect during the Revolutionary Era. This laid the groundwork for women's rights movements. It's important to investigate the role of influential women such as Mary Wollstonecraft and Olympe de

Gouges, the former of whom once stated, “If children are to be educated to understand the true principle of patriotism, their mother must be a patriot...but the education and situation of a woman at present shuts her out”. (Wollstonecraft, 1792)

In the Age of Revolutions, female philosophers and writers took pen in hand to publish their discontent with the lack of equal rights afforded to them by new revolutionary governments. During the French Revolution, Olympe de Gouges published a scathing response to the revolutionaries’ Declaration of the Rights of Man and of the Citizen. Her 1791 work, *Declaration of the Rights of Woman and of the Female Citizen*, argued for the French Revolution’s enlightenment rallying cries of equal rights to be extended to women. In her treatise, de Gouges protested, “A woman has the right to mount the scaffold. She must possess equally the right to mount the speaker’s platform.” (De Gouges, 1791)



Women’s Suffrage Movement:

The Seneca Falls Convention, held on 19th July in Seneca falls, New York, was the launch of the Women’s Suffrage Movement. The final document contained multiple resolutions, but particularly the 9th one, demanded the right of women to vote; this later resulted in the 19th Amendment passage in 1920, despite the movement having been ridiculed and not supported at first.

Figure 1: “Our Roll of Honor,” signatures to the “Declaration of Sentiments” (1848). Library of Congress, Washington D.C



Gradual Increase in Women's Representation:

In the 1900s, women started gaining representation and the possibility to work in legal fields. For further understanding, here are some examples of some countries and their women in the legal field:

Argentina: Maria Angélica Barredas was the first woman to be admitted to practise law in Argentina in 1910, and Margarita Argúas was the first woman to be appointed judge in the Supreme Court in 1970 during the military government.

Greece: The first woman admitted to practise law in Greece was Efharis Petridou in 1925, although women were not allowed to be judges until 1955.

United States: Arabella Mansfield was the first woman admitted to the bar in 1869 in Iowa. She had not studied at a law school, but rather had studied in her brother's office for two years before taking the bar examination. Curiously enough, in the same year Ada H. Kepley became the first woman in the United States to graduate from law school. A year later, in 1870, Esther Morris was appointed as a justice of the peace in Wyoming Territory - the first woman in the United States appointed to a judicial position.

Genevieve Cline was the first woman appointed to a federal court in 1928, when President Coolidge nominated her for a seat on the U.S. Customs Court. She remained on the court for 25 years.

Florence Allen, who had previously been a justice on the Ohio Supreme Court, was appointed to the U.S. Court of Appeals, Sixth Circuit in 1932, making her the first woman to be appointed as a judge to a federal appeals court.

As seen, women have been gradually increasing their participation in justice, but there are still numerous ongoing challenges.

II. Current Situation

Information on the importance of women in justice

According to the United Nations Office on Drugs and Crime [UNODC], women’s participation in the criminal justice system can play a pivotal role in leading positive transformations. By fostering diversity and inclusion, institutions may benefit from enriched points of view, which are the path for increased accountability. Women serving as judges offer unique perspectives and life experiences, bolstering the effectiveness of judicial systems. When women assume leadership positions, they disrupt networks that facilitate collusion and corruption. Additionally, research suggests that higher representation of women in law enforcement and judicial bodies correlates with more efficient and compassionate responses to crime, with a focus of supporting victims. *“Women are often considered to have more integrity and are difficult to corrupt,”* says judge Mujinga Bimansha Marie Josée. *“A high number of women in the judiciary can help humanise justice.”* (UNDP, 2023)

International Standards

The United Nations High Commissioner of Human Rights (OHCHR, 2021) made a Report (A/76/142), treating the topic of the status of participation of women in justice, in which the following international standards are exposed¹:

Various international instruments have been established in order to guarantee fair treatment and the non-discrimination of women, all of which are fully applicable to women's access to the judiciary and the prosecution service. Nonetheless, international and regional standards regarding judges and prosecutors lack comprehensive principles ensuring gender equality within the judiciary or prosecution service across various stages of their careers. The existing regulations on selection and appointment merely contain a general prohibition against gender-based discrimination.

¹ Taken and Summarized from:
<https://www.ohchr.org/en/documents/thematic-reports/a76142-participation-women-administration-justice-report-specia>
|



In contrast, international standards place a higher emphasis on safeguarding vulnerable groups, with the State being obligated to take specific measures to protect individuals from discrimination based on their affiliation with a national, ethnic, religious or linguistic minority. The State’s responsibility extends to ensuring that women belonging to these groups have equal opportunities for advancement and representation in judicial and prosecutorial jobs, both at the regulatory and functional levels. Gender discrimination is deeply ingrained in societal structures, and it becomes even more pronounced when the individual is part of other minorities. These disparities are evident in the underrepresentation of women within the judiciary and prosecution service, highlighting the need for concerted efforts addressing this issue.

It is important to note, that discrimination against women in justice is not limited to accessing judicial and prosecutorial jobs, but also to guaranteeing that women receive legal help and are able to seek justice, actions which are also compromised.

Global Statistics

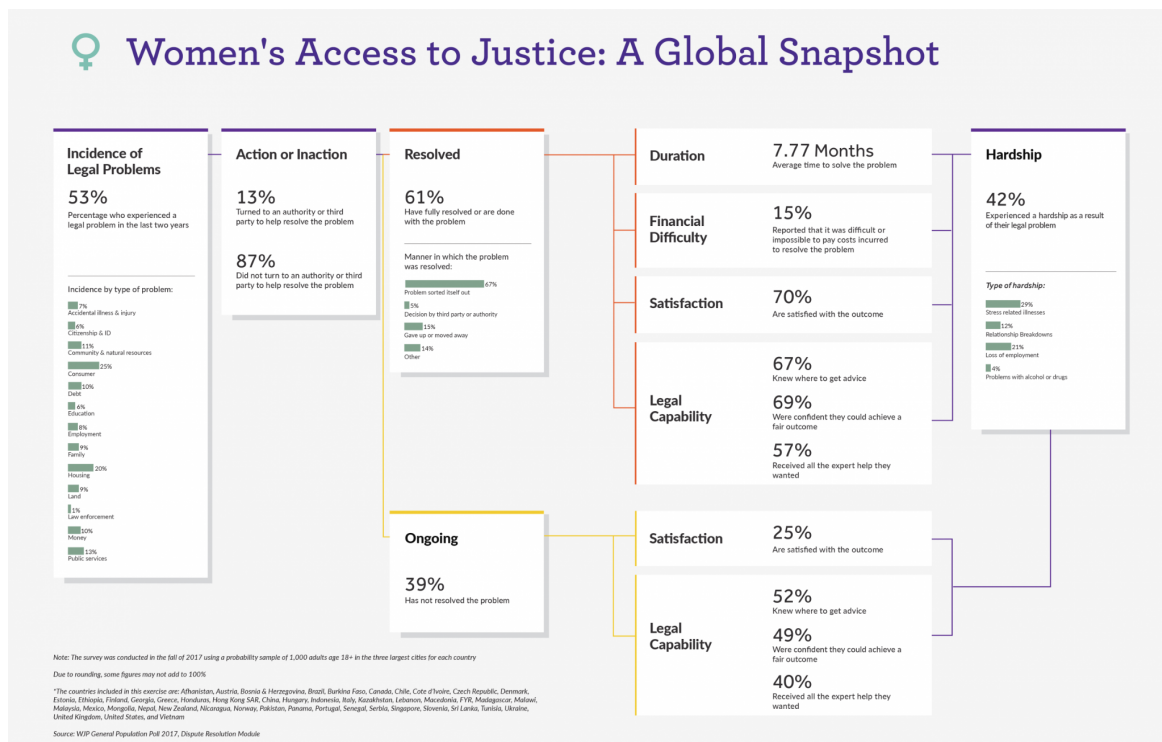
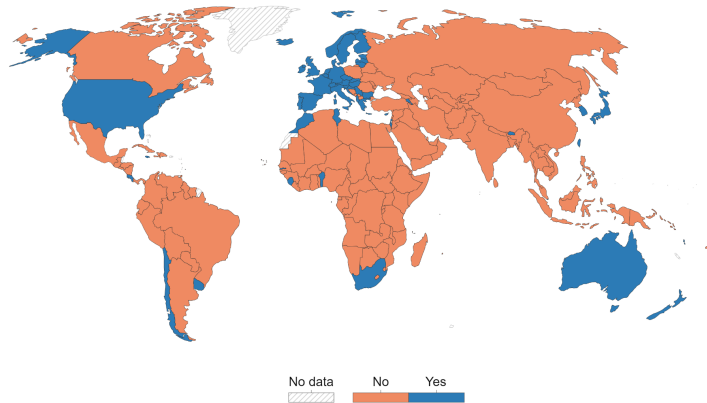


Figure 2: Women’s Access To Justice: A Global Snapshot (World Justice Project)

Access to justice for women, 2022

Based on the classification by Lührmann et al. (2018) and the assessment by V-Dem¹'s experts. It captures that women safely bring cases before courts, are able to seek redress if public authorities violate their rights, and trials are fair.



Source: OWID based on Lührmann et al. (2018); V-Dem (v13)

Note: The Chart tab uses numeric values, 1 if women had access to justice and 0 if not.

OurWorldInData.org/democracy • CC BY

1. V-Dem: The Varieties of Democracy (V-Dem) project publishes data and research on democracy and human rights. It relies on evaluations by around 3,500 country experts and supplementary work by its own researchers to assess political institutions and the protection of rights. The project is managed by the V-Dem Institute, based at the University of Gothenburg in Sweden. Learn more: Democracy data: how do researchers measure democracy? The 'Varieties of Democracy' data: how do researchers measure democracy? The 'Varieties of Democracy' data: how do researchers measure human rights?

Figure 3: Access To Justice For Women (Our World In Data, 2022)

As seen in the figures above, there is a long way to go to finally end all the disparities existing globally with women's access to justice. It has been shown that women judges tend to use more mediation to settle many disputes, so that settlements can be reached more quickly. On the other hand, they generally have more empathy with victims of gender-based crimes, and are less likely to use mediation to protect women from having to face their violators in court, for example, in China, *"Li also reported that female judges took the harm inflicted upon victims as the most important factor in sentencing, while male judges did not consider victims' experiences as a critical factor."* (Wei, 2020). Having women in positions of power in the judicial and law enforcement systems is important for eradicating impunity in cases of gender based violence.

UN's Approach and Solutions

In 2016, there was an event called "Women's Access to Justice: A Transformative Approach" hosted by the United Nations (UN, 2016), in which women's access to and representation in justice was discussed. During the event, attendants discussed the importance of adjusting upcoming debates in the 6th committee (Legal) for a more inclusive approach. They also



focused on the Agenda for 2030 for Sustainable Development, which includes goals important for the matter discussed.

The Director of Policy Division from UN Women, highlighted the need for a human rights framework for women's access to justice, going beyond prosecuting crimes and also focusing on empowering women and addressing underlying gender inequalities that render them vulnerable to violence. Representatives of multiple countries shared each country's particular struggles and obstacles, also with possible solutions.

III. Key points of the debate

- Legal mechanisms available for protecting women in judicial cases.
- Consequences of the lack of participation of women in justice (e.g. Impunity in Cases of GBV - gender based violence).
- Lack of importance that the legal system has taken on gender issues such as gender based violence.
- Reasons behind the discrimination of women in the legal area as a job and as clients.

IV. Guiding questions

1. Does your country actively support the participation of women in law enforcement (from the judicial area) and judicial decision making? If so, since when?
2. Are there any laws, bills or constitutional passages that ensure the fair participation of women in justice systems?
3. Statistically, how big is the gap between men and women participating in jobs regarding judicial processes in your country?
4. What benefits are there, or would there be, if any, to having more women in the judiciary system in your country?
5. What setbacks or problems, if any, do women who work in the judiciary system face in your country?
6. How can your country contribute to enhancing participation of women in justice?

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Figure 1:

Our Roll of Honor. Listing women and men who signed the Declaration of Sentiments at first Woman's Rights Convention, July 19-20, 1848. (n.d.). Library of Congress, Washington, D.C. 20540 USA. <https://www.loc.gov/resource/rbcmil.scrp4006701/>

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