

ACADEMIC GUIDE



Commission on the
Status of Women

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Level: Junior

Language: English

Topic A: Legal aptitude to denounce domestic abuse
without evidence

Topic B: Regulating Pink Tax

Welcome letter:

Hello and Welcome! First of all, we want to welcome you to the 13th Model of the United Nations of Marymount. We are glad to see you all joining CSW. We believe that our committee will be filled with knowledge, and a lot of learning experiences. This model is an opportunity for learning, as well as being able to understand the world we live in, and perhaps, make new friends. Hopefully, this committee will change the course of your MUN experience, improving it and making you more competent participants and ones that are prepared and ready for any committee and/or position. Many 'experts' in this MUN world that we are immersed in have passed through this committee, and we hope that you can find it here. More than anything, we want you to have fun exploring different points of views and opinions. Also, do not hesitate to contact us if you have any questions, suggestions or doubts at all.

Kind regards,

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Introduction to the committee

CSW, also known as UN Women, is the UN organization dedicated to gender equality and the empowerment of women. A global champion for women and girls, UN Women was established to accelerate progress on meeting their needs worldwide. UN Women supports the UN Member States as they set global standards for achieving gender equality, and works with governments and civil society to design laws, policies, programmes, and services needed to ensure that the standards are effectively implemented and truly benefit women and girls worldwide. It works globally to make the vision of the Sustainable Development Goals a reality for women and girls and stands behind women's equal participation in all aspects of life, focusing on four strategic priorities :

- “Women lead, participate in and benefit equally from governance systems. Women have income security, decent work, and economic autonomy. All women and girls live a life free from all forms of violence. Women and girls contribute to and have a greater influence in building sustainable peace and resilience, and benefit equally from the prevention of natural disasters and conflicts and humanitarian action.”
- UN Women also coordinates and promotes the UN system's work in advancing gender equality, and in all deliberations and agreements linked to the 2030 Agenda.

Legal aptitude to denounce domestic abuse without evidence.

Introduction to topic A

Domestic violence or domestic abuse refers to the violence and abuse which happens in a domestic setting like cohabitation or marriage. It is important to remember that domestic violence is not just physical but any kind of behaviour that tries to gain power and control over the victim. It can affect people from all walks of life and it basically subjects towards a partner, spouse or intimate family member. In a more general term, domestic abuse is the outcome of cumulative irresponsible behaviour which a section of society demonstrates.

The male-dominated society plays an important role in this problem. Further, economic resources or finances are also one of the leading causes which have the consequence of violence against women within a domestic relationship. In many parts of the world, physically assaulting women and passing horrendous remarks is common.

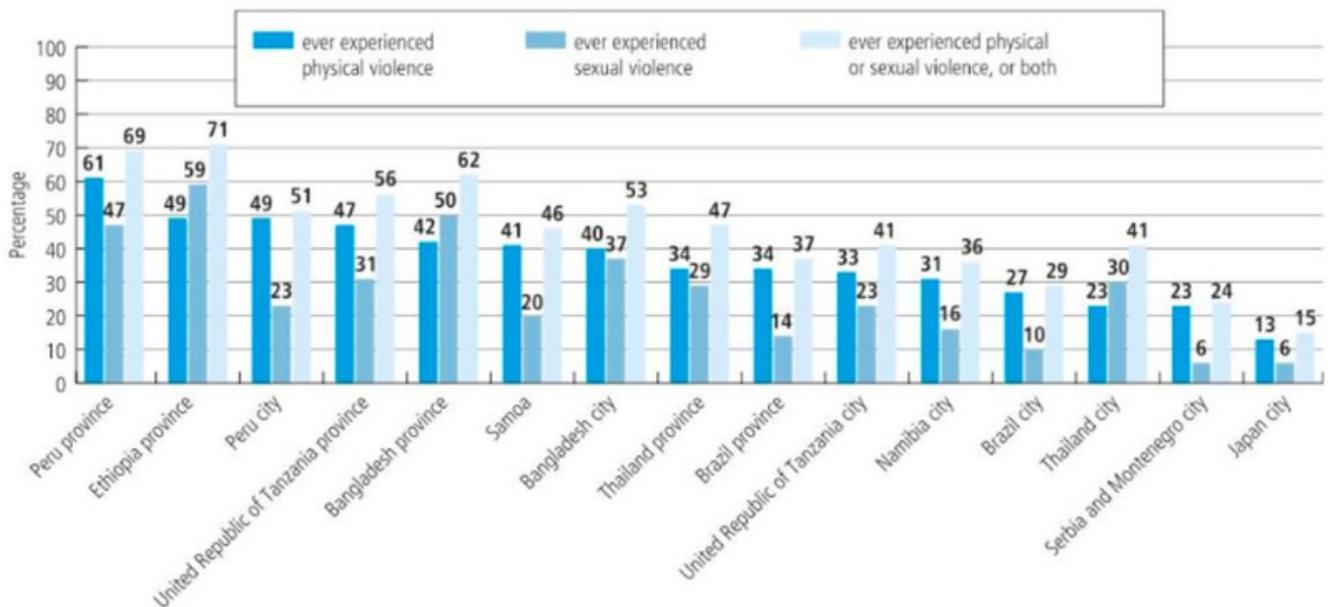
Domestic abuse has many ill-effects which depend on the kind of abuse that is occurring. According to the Duluth Model Approach (2017), It ranges from being physical to sexual abuse and the methods may range from economic threatening to emotional manipulation. For example, a physical abuser uses physical force which injures the victim or endangers their life or threatens their future and their opportunities to develop as a woman (as seen in this gender-based approach).

- Physical abuse includes hitting, punching, choking, slapping, and other kinds of violence. Moreover, the abuser also denies the victim medical care, hence there is emotional abuse in which the person threatens and intimidates the victim, further denying their fundamental human rights such as the right to health.
- Emotional methods of abuse oftenly threaten women in a domestic relationship with guilt-tripping and public humiliation. Similarly, constant name-calling and criticism also count as emotional abuse.
- Sexual abuse in which the perpetrator uses force for unwanted intercourse: If your partner does not consent to it, it is forced which makes it sexual abuse.
- Finally, we have economic abuse where the abuser controls the victim's money and their economic resources. Partners may prevent a woman from getting a job, they might control their assets and even give her an allowance. Actors within an abusive domestic relationship tend to do this to exert control on their female counterpart and make them dependent solely on them.

Domestic Abuse Numbers:

- In the United States, 1 in 4 women and 1 in 9 men experience severe intimate partner physical violence, intimate partner contact sexual violence, and/or intimate partner stalking with impacts such as injury, fearfulness, post-traumatic stress disorder, use of victim services, contraction of sexually transmitted diseases, etc. (DoJ, 2016)
- 1 in 3 women have experienced some form of physical violence by an intimate partner. This includes a range of behaviors (e.g. slapping, shoving, pushing) and in some cases might not be considered "domestic violence." (NISVS, 2022) and 1 in 7 women have been injured by an intimate partner.

Moreover, gender violence and domestic abuse manifested essentially as violence against women, is one of the most significant epidemics in the Middle East today, and the numbers in these countries are greater than the ones reported in the US in the past years. It is estimated that 37% of women in Arab countries have experienced domestic violence. According to a United Nations report, approximately 200,000 women were victims of domestic violence in Israel between 2014 and 2015. As seen in WHO's report of 2016, countries in Southeast Asia and some regions in South America is visibly more concerning than those in developed countries.



Lifetime physical and sexual abuse in domestic relationships, World Health Organization, 2015

Denouncing Domestic Abuse:

The reasons as to why it is important to report or denounce domestic violence may come as obvious, however, further from the explicit, scholars and activists argue that domestic abuse hinders human development and elongates the path for sustainable development in every nation; "Domestic violence is a burden on numerous sectors of the social system and quietly, yet dramatically, affects the development of a nation... batterers cost nations fortunes in terms of law enforcement, health care, lost labor and general progress in development. These costs do not only affect the present generation; what begins as an assault by one person on another, reverberates through the family and the community into the future". (Zimmerman, 1994)

As exposed as well by UN Women's Regional Office for Arab States, these type of gender-base structural violence has repercussions at the individual level, within the family, community and wider society, hence it can lead to fatal outcomes and have a significant burden on a country's economy and overall development.

Domestic abuse is as common a cause of death, disability and a greater cause of ill-health than traffic accidents and malaria put together (Chelala, 2020) and although laws, national policies and methods to denounce domestic violence have been created all across the globe, these tend to be difficult to effectuate. Of the 22 United Nations Economic and Social Commission for Western Asia (ESCWA) member states, only 6 of these nations are considered to have laws to protect women against domestic abuse, (Jordan, Lebanon, Tunisia, Morocco, Bahrain and Saudi Arabia).

1. The Protection of Women from Domestic Violence Act, (Parliament of India, 2005) Came into effect in October, 2006 and states that any act, conduct, behaviour or omission that harms, injures or has the potential to harm or injure will be considered domestic violence by the law. In general terms, women do not have to suffer a prolonged period of abuse before taking recourse to law. This law not only covers women but children as well. Domestic violence is perpetrated by, and on, both men and women. However, most commonly, the victims are women

2. Ministry of Women and Family Affairs (Tunisia): This ministry is responsible for participating in the design of government policy in the areas of women, the family and children. Their goal is to develop plans and programs of action to ensure the promotion of the family, to strengthen the integration of women's skills in the process of integral development, to widen their participation in public life and to supervise the childhood. The Ministry of Women and Family Affairs wrote a draft bill condemning and criminalizing domestic violence. The draft law was approved in 2016.

3. The Union of Women's Action (Morocco) has organized forums to raise public awareness of violence against women, and lobby local groups to protect victimized women.

Domestic violence is a global issue advancing across nationwide borders as well as socio-economic, cultural, racial and class distinctions. This problem is not only widely recognized geographically, but its incidence is extensive. This makes it a normalized and somewhat accepted behavior. Domestic abuse has serious impacts on women's health and well-being and its continued existence is morally indefensible. Even though the explicit victims are women, this issues have clear repercussions on health systems and on society, yet actors tend to turn a blind eye and ignore the problematics surrounding domestic abuse. In some countries still, there are no reliable statistics about domestic violence since this is a subject that still remains a taboo due to different cultural and religious contexts. This is why, reporting domestic abuse is extremely demanding for women all over the world. Furthermore, a factor that hinders this process is the lack of evidence to report cases of domestic abuse.

Current Situation:

Even though regulations and laws exist, as mentioned before, the issues with reporting domestic abuse do not seem to cease. There is still a lot of work to do from the different actors involved or affected by these situations. Government and community leaders should spearhead efforts to create a culture of openness and support to eliminate the stigma associated with this problem, for example in countries where statistics are unknown to the citizens or there are no current available lines to report domestic abuse. Likewise, it is to enforce legislation that criminalizes all forms of violence against women, including marital rape. Laws should be followed up with plans for specific national action, since, as stated by the UN ESCWA, “is primarily attributable to the existence of discriminatory laws, failure to implement the nondiscriminatory legislation that does exist and a lack of awareness by women of their rights in such matters.”

Relevant Approaches:

1. **Evidence:** For most court settings, there are 5 different types of evidence:
 - a. **Documentary:** Documents and reports which have been produced for inspection by the court. These may be items of real evidence, original evidence or hearsay, for example:
 - i. Any formal report or letter from your hospital, nurse, doctor, therapist or masseuse to attest to your mental or physical state. They can also be witnesses to an incident e.g. your partner shouting at you in the hospital or accompanying you to a checkup.
 - ii. Any bill, conviction, incidence report, or warning by police to your abuser
 - iii. Any criminal case against your abuser or one that your abuser has lodged against you
 - b. **Physical / Real:** This is usually a material object of some kind, which is produced for inspection, either to prove that it exists, or so that the court can get more information that will help it come to a conclusion based on evidence. Physical evidence can consist of things like ripped clothing, a letter, a weapon, documents and partially destroyed documents, or other physical tangible objects. It can also include photographs, text messages, emails, social media conversation, videos, and audio files of abusive events.
 - c. **Hearsay:** A testimony from a witness or someone outside of the court. For example, a family member, a neighbour, that explains how and why they are worried about the victim's health or appearance, mood and others.
 - d. **Original:** A statement or recorded words said by the abuser to prove the purposes of the accused. These usually serve the purpose of corroborating the the woman's story or strengthen the evidence.
 - e. **Testimony:** Testimony evidence is evidence given by a witness, under oath, in the proceedings of a trial. Witnesses often also make statements before they get to court; this is a different form of evidence from testimony. Testimony evidence is only made in open court, in most countries. However, when applying for asylum testimony evidence can be submitted in writing and asylum case workers almost never contact abusers to 'hear their side of the story' so you should not worry about that.
 - f. **Direct witnesses:** These are people who have directly witnessed the abuse.
 - g. **Expert witnesses:** These often include doctors, social workers, nurses, or psychologists - in other words, these are people who are considered to be knowledgeable in a field that the court may not have enough knowledge of.

- 2. The Code for Crown Prosecutors is a public document, issued by the Director of Public Prosecutions of the United Kingdom, that sets out the general principles that should be followed when they make decisions on cases of domestic abuse. This document answers frequently asked questions about domestic abuse, such as the evidence needed to report, how to bring a case to the court, etc.

We encourage delegates to search for the questions that the Code for Crown Prosecutors answers and how can these specific answers be useful for committee and the debate. These answers may help the delegations find relevant solutions and some alternatives that have been implemented in the past by member states of the United Nations.

This specific document answers questions such as whether there is enough evidence to charge. In this case, the Crown Prosecutors must consider whether evidence can be used in court and is reliable and credible, and there is no other material that might affect the sufficiency of evidence. Crown Prosecutors must be satisfied there is enough evidence to provide a "realistic prospect of conviction" against each defendant.

QARMAS:

- How should the court take decisions on whether the evidence is enough or not?
- In cases where women want to report domestic abuse but cannot provide any type of evidence whatsoever, what processes should be taken into account to bring the case to the court?
- Should a different process be followed in the accusations of domestic abuse whether there is proof or not?

Recommended Links:

<https://chayn.gitbook.io/how-to-build-a-domestic-abuse-case-without-a-lawyer/english/collecting-evidence>

<https://www.ojp.gov/pdffiles1/nij/225722.pdf>

<https://www.alignplatform.org/resources/bell-bajao-campaign>

Regulating Pink Tax.

Introduction to topic B

People, regardless of their gender commonly buy similar day-to-day products. But research shows that consumer products targeted for women are sometimes more expensive than comparable products marketed to men or others. This disparity is referred to as a so-called pink tax.

Gender-based price disparities are present in several sectors, but one of the most visible is personal care products, for example soaps, lotions, deodorants that are marketed specifically to either women or men. In 2015, a study conducted by the NYC Department of Consumer Affairs that analysed 800 gender-specific products from approximately 100 brands, found that on average, women's products cost 7% more than similar products for men. Specifically:

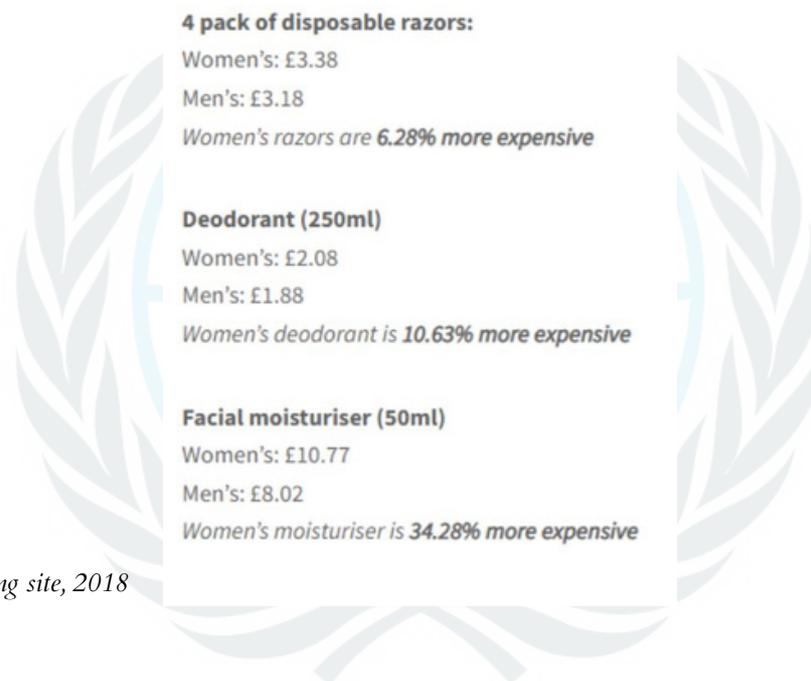
- 7% more for toys and accessories
- 4% more for children's clothing
- 8% more for adult clothing
- 13% more for personal care products
- 8% more for senior/home health care products

Products	Number of Products*	Women's Average	Men's Average	Price Difference	Percent Difference
Shampoo and Conditioner (Hair Care)	16	\$8.39	\$5.68	\$2.71	48%
Razor Cartridges	18	\$17.30	\$15.61	\$1.69	11%
Razors	20	\$8.90	\$7.99	\$0.91	11%
Lotion	10	\$8.25	\$7.43	\$0.82	11%
Deodorant	20	\$4.91	\$4.75	\$0.16	3%
Body Wash	18	\$5.70	\$5.40	\$0.30	6%
Shaving Cream	20	\$3.73	\$3.89	(\$0.16)	4%
Total	122	\$57.18	\$50.75	\$6.43	13%

*Each gender has an equal split of the total number of products in this column.

Source: NYC Department of Consumer Affairs, 2015

Additionally, a study made in the UK in 2018 found that women's deodorant was on average 8.9% more expensive than men's. Women's facial moisturiser was 34.28% more expensive, and according to UK parenting site Channel Mum, 97% of parents want Pink Tax to be stamped out, either with a voluntary code of conduct or by making it illegal. Although when comparing the exact prices of the products analysed, the difference might not seem like much, the percentages mathematically confirm that indeed, there is an economic burden on women, this is what is nicknamed "Pink tax"



Source: UK parenting site, 2018

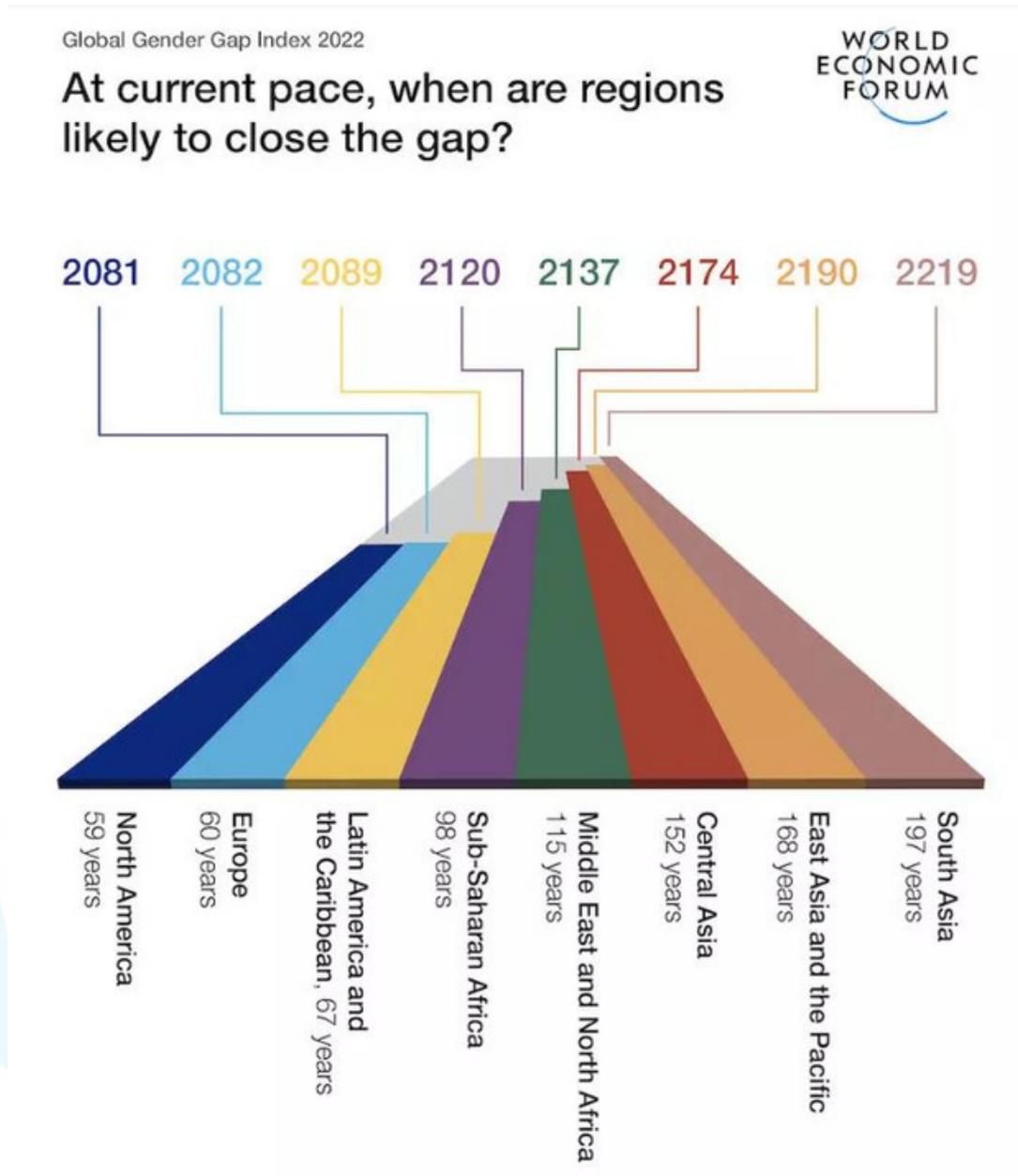
Historical Context:

This economic disparity between genders "started" 1994, when a report from California's Assembly Office of Research found that 64% of stores in five major cities charged more to wash and dry clean a woman's blouse than they did a man's button-up shirt. Following the study, California passed the state-wide Gender Tax Repeal Act of 1995, making it illegal for a business to discriminate with respect to the price charged for similar services due to a person's gender. However, without a doubt the pink tax still affects women today. (Forbes, 2022)

Current Situation:

This year, the gap between pieces of gender based products is said to increase, especially given the spike in inflation. Of course, numbers and prices can and will definitely vary by retailer, brand, and the state you live in, as well as with sales tax, as has been seen every year. But concerns towards the increasing prices of products for women have now been voiced over in social media. with campaigns such as #AxThePinkTax, certain products may still be costlier for women. Later after this campaign gained popularity, the Government Accountability Office found that not all products were priced higher for women but that underarm and body deodorants, shaving cream, designer perfume, and body sprays cost more for women.

According to the Global Gender Gap Report of 2022, the existing gender gaps across the world are not closing anytime soon, “It will take another 132 years to close the global gender gap” Nowadays, economic crises and such are arising and compounding, as a consequence women's workforce outcomes are suffering and the risk of global gender parity backsliding further intensifies.



Source: Global Gender Gap 2022

This same analysis found that when it comes to wage equality for similar work, only five out of the 146 countries analysed achieved scores higher than 0.80. in a scale of 0 to 1 (1.0 would mean full wage parity). Moreover, 129 countries this year reported a reduction of women's labour-force participation relative to men's. The gender pay gap, the report found, is one of the most salient factors contributing to the overall gender-based wealth inequality. Recently, the United Nations with UN Women called upon on countries worldwide to take steps to eliminate the pink tax to ensure women achieve full and equal participation in the economy.

For more information, we encourage the delegates to analyze the data provided by the Global Gender Gap Report of 2022.

Relevant Approaches:

1. Approaches of Gender and race: How does the Pink Tax affect Women of Color?

a. The gender pay gap is worse for women of color, who earned even less compared with white men. For reference, for every dollar a man makes, a white woman makes 0.82\$. According to data exposed by the Bureau of Labor Statistic, Black women earn \$0.64 for every dollar a white man makes, while Hispanic women earn \$0.57 for every dollar a white man made. Asian women were found to earn more, with multicultural Asian women earning \$0.98 cents to a white man's dollar and Asian women earning \$1.01, according to the Center for American Progress' analysis of the bureau's data.

Recommended Links:

- Global Gender Gap Report of 2022 <https://www.weforum.org/reports/global-gender-gap-report-2022>
- Forbes Money on Pink Tax, 2022. <https://www.forbes.com/sites/lawrencelight/2022/02/12/theres-a-pink-tax-on-women/?sh=6321f6227318>
- Business Insider on Pink Tax <https://www.businessinsider.com/personal-finance/pink-tax>



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- Unknown (2018) Pink Tax today: How much extra do women and girls pay for everyday essentials?