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EMINENCE EDITION
CHAPTER II

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Study Guides

UNW

Agenda 1:

Reproductive Autonomy and State Sovereignty: Defining the Limits of International Intervention

Introduction & Definition

Reproductive autonomy refers to an individual's ability to make informed and voluntary decisions concerning reproduction, including whether and when to have children, access to contraception and reproductive healthcare, and decisions surrounding pregnancy. It is closely connected to bodily autonomy, privacy, equality, access to healthcare, and freedom from coercion.

However, reproductive rights exist within the broader framework of state sovereignty. States retain authority over their domestic healthcare systems, criminal laws, family policies, and public institutions. As a result, governments frequently argue that decisions concerning abortion, contraception, reproductive education, fertility treatment, and related healthcare fall primarily within domestic jurisdiction.

This creates a fundamental tension between individual reproductive autonomy and the sovereign authority of states. While international human-rights frameworks recognize principles of equality, non-discrimination, health, privacy, and bodily autonomy, the extent to which international institutions should intervene when domestic reproductive laws restrict these rights remains highly contested.



Key Sub-Topics & Controversies

- * **Bodily Autonomy vs. State Sovereignty:** Determining where the authority of a state to regulate reproductive healthcare ends and an individual's internationally recognized rights to bodily autonomy, privacy, equality, and healthcare begin.
- * **Abortion Access and Criminalization:** Examining whether restrictive abortion laws, criminal penalties, mandatory waiting periods, third-party authorization, and limited access to providers constitute violations of reproductive autonomy or legitimate exercises of domestic legislative authority.
- * **Contraception and Family Planning:** Addressing barriers to affordable contraception, family-planning services, and reproductive-health information, particularly where access is restricted based on age, marital status, geography, or requirements for consent from another individual.
- * **Forced Sterilization and Reproductive Coercion:** Examining state or institutional practices that interfere with an individual's ability to decide whether to reproduce, including forced sterilization, forced contraception, coerced medical procedures, and reproductive decisions made without free and informed consent.



* **Adolescent Reproductive Rights:** Addressing the tension between parental authority, state protection of minors, and the ability of adolescents to access accurate reproductive-health information and appropriate healthcare, particularly in contexts involving child marriage and early pregnancy.

* **Conscientious Objection and Healthcare Access:** Determining how states can protect healthcare workers' freedom of conscience without allowing individual objections to prevent patients from accessing legally available reproductive healthcare.

* **International Intervention vs. Cultural and Religious Sovereignty:** Assessing whether international reproductive-rights standards constitute universal human-rights protections or whether imposing specific reproductive policies risks violating cultural, religious, and national sovereignty.

Bloc Positions & Perspectives

* **Human Rights-Oriented and Liberal States:** Generally emphasize bodily autonomy, gender equality, reproductive healthcare, informed consent, and protection from reproductive coercion. These states are more likely to support international monitoring and stronger standards for reproductive healthcare.

* **Conservative and Sovereignty-Oriented States:** Emphasize national jurisdiction, cultural and religious values, family structures, and the principle of non-interference. They generally argue that reproductive legislation should remain primarily within domestic jurisdiction.



* **Developing States:** Often support improved reproductive healthcare while facing significant limitations in healthcare infrastructure, funding, trained personnel, and rural accessibility. Their priorities may therefore focus on international assistance and capacity-building rather than external legal intervention.

* **Women's Rights Organizations:** Generally advocate for bodily autonomy, freedom from coercion, universal access to reproductive healthcare, informed consent, and meaningful participation of women in the development of reproductive policies.

Recommended UNCSW Action Points & Resolution Framework

When drafting UNCSW resolutions for this reproductive-rights agenda, delegates should prioritize:

1. **Minimum Reproductive Healthcare Standards:** Establishing internationally recommended standards for access to contraception, maternal healthcare, reproductive-health information, informed consent, confidentiality, and non-discriminatory healthcare while allowing states flexibility in domestic implementation.
2. **Protection Against Reproductive Coercion:** Encouraging Member States to strengthen legal protections against forced sterilization, forced contraception, non-consensual reproductive procedures, and other practices that violate reproductive autonomy



3. **Reproductive Healthcare Access Mechanisms:** Establishing UN-supported programmes to identify and address barriers to reproductive healthcare, particularly for rural, low-income, displaced, disabled, and otherwise marginalized women and girls.

4. **Conscientious Objection Safeguards:** Encouraging states that permit conscientious objection to ensure timely access to alternative healthcare providers and prevent personal beliefs from creating discriminatory barriers to legally available reproductive services.

5. **International Monitoring Mechanisms:** Establishing voluntary reporting and monitoring mechanisms through UN Women and relevant UN bodies to document reproductive-health access, identify discriminatory barriers, and provide recommendations while respecting state sovereignty.

6. **Capacity-Building and Healthcare Funding:** Expanding international assistance for states facing shortages of healthcare infrastructure, trained reproductive-health professionals, contraceptive supplies, and maternal-care services.

7. **Women's Participation in Reproductive Policy:** Ensuring meaningful participation of women, women's organizations, healthcare professionals, and affected communities in the creation, implementation, and evaluation of national reproductive-health policies.





Agenda 2:

Reforming Laws That Institutionalise Gender Inequality and Undermine Women's Equal Citizenship

Introduction & Definition

Institutionalized gender inequality occurs when discriminatory treatment of women is embedded within a state's legal and political structures, including constitutional provisions, family laws, criminal legislation, labour regulations, nationality laws, and property systems. Such laws can explicitly provide women with fewer rights than men or create seemingly neutral requirements that disproportionately restrict women's ability to participate equally in society.

Equal citizenship extends beyond formal recognition of equality. It requires women to possess equal legal capacity and equal ability to exercise fundamental rights, including obtaining nationality, owning and inheriting property, entering contracts, accessing employment, participating in political life, seeking justice, and making decisions concerning their family and personal lives.

Although many states have adopted constitutional commitments to gender equality, discriminatory provisions can remain within domestic legislation or customary and religious legal systems. Furthermore, formally equal laws may fail to produce equality when discriminatory enforcement, judicial bias, inaccessible courts, or social and institutional barriers prevent women from exercising their rights.



Key Sub-Topics & Controversies

- * **Discriminatory Nationality Laws:** Examining laws that prevent women from transmitting nationality to their children or spouses on equal terms with men, potentially contributing to statelessness and restricting access to education, healthcare, employment, and other fundamental rights.
- * **Marriage and Family Laws:** Addressing unequal legal provisions concerning marriage, divorce, custody, guardianship, maintenance, inheritance, and property, particularly where women possess less legal authority or decision-making power than men.
- * **Property and Inheritance Rights:** Examining legislation that restricts women's ability to own, inherit, manage, or transfer property and land, and assessing how unequal economic rights contribute to women's financial dependence and limited economic participation.
- * **Legal Capacity and Access to Justice:** Addressing laws and judicial procedures that prevent women from independently entering contracts, accessing courts, filing complaints, obtaining legal representation, or receiving equal treatment within judicial systems.
- * **Gender-Based Violence Legislation:** Examining criminal laws concerning domestic violence, sexual violence, forced marriage, child marriage, sexual harassment, and so-called honour-based violence, particularly where inadequate legislation or



* discriminatory procedures prevent women from obtaining effective protection and justice.

* **Employment and Economic Restrictions:** Assessing laws that restrict women's access to professions, workplaces, financial services, or economic opportunities under the justification of protection, tradition, or social norms, and distinguishing legitimate workplace protections from discriminatory restrictions.

* **Guardianship and Freedom of Movement:** Examining legal systems in which women require permission from male relatives to travel, obtain official documents, enter contracts, make certain healthcare decisions, or exercise parental authority.

* **Religious and Customary Legal Systems:** Determining how states can preserve religious and cultural legal traditions while ensuring that women receive equal legal protection and are not subjected to discriminatory treatment solely on the basis of sex.

* **De Jure vs. De Facto Equality:** Addressing the gap between equality formally guaranteed by law and equality experienced in practice, including situations where discriminatory enforcement, judicial bias, social norms, or inaccessible legal institutions prevent women from exercising their rights.



Bloc Positions & Perspectives

- * **Gender Equality and Human Rights-Oriented States:** Generally advocate for repealing explicitly discriminatory laws, strengthening equal citizenship, protecting women from gender-based violence, guaranteeing equal economic rights, and developing international mechanisms to monitor legal discrimination.
- * **Sovereignty-Oriented States:** Emphasize that domestic legislation should be determined through national constitutional systems and argue that international institutions must respect sovereignty, cultural practices, religious traditions, and domestic jurisdiction.
- * **States with Religious or Customary Legal Systems:** May support gender equality while emphasizing that family and personal-status laws are closely connected to religious or cultural identity. They may oppose externally imposed reforms that conflict with domestic legal traditions.
- * **Developing States:** Often support legal equality but face challenges involving limited judicial infrastructure, legal literacy, rural access to justice, civil-registration systems, and financial resources. Their priorities may therefore focus on technical assistance, institutional development, and capacity-building.
- * **Women's Rights Organizations:** Generally advocate for the removal of discriminatory legislation, equal legal capacity, access to justice, women's participation in lawmaking, and stronger mechanisms for monitoring the implementation and enforcement of gender-equality laws.



Recommended UNCSW Action Points & Resolution Framework

When drafting UNCSW resolutions for this gender-equality agenda, delegates should prioritize:

1. **National Gender-Law Audits:** Establishing comprehensive reviews of constitutional, civil, criminal, family, labour, property, nationality, and administrative laws to identify provisions that explicitly or indirectly discriminate against women.
2. **Equal Citizenship and Nationality Reform:** Encouraging Member States to guarantee women and men equal rights to acquire, retain, change, and transmit nationality to their children and spouses while preventing statelessness.
3. **Reform of Discriminatory Family Laws:** Encouraging states to review laws concerning marriage, divorce, custody, guardianship, maintenance, inheritance, and property to ensure equal legal status and decision-making power within family relationships.
4. **Equal Economic and Property Rights:** Promoting equal legal rights for women to own and inherit property, control land, enter contracts, establish businesses, access financial services, and independently manage economic resources.
5. **Gender-Responsive Justice Systems:** Strengthening legal-aid programmes, judicial training, complaint mechanisms, women's access to courts, and legal-literacy programmes to ensure that equality before the law is reflected in practical access to justice.



6. Review of Gender-Discriminatory Criminal Laws: Encouraging Member States to reform legislation and judicial procedures concerning sexual violence, domestic violence, forced marriage, child marriage, sexual harassment, and other forms of gender-based violence.

7. Women's Participation in Law Reform: Ensuring meaningful participation of women, women's organizations, legal experts, and affected communities in drafting, reviewing, and implementing legislation affecting women's rights.

