

Protection of human rights of women

Sandeep Kaur

Assistant professor, DAV College, Chandigarh, Punjab, India

Abstract

Women have been the most vulnerable and weaker section of the society and have always been looked down as a commodity which can be used, re-used and abused. This article highlights the status of women in the society. There are lack of educational facilities, poor economic conditions, lack of awareness of their rights and lack of leadership qualities. Some groups of women face compounded forms of discrimination -- due to factors such as their age, ethnicity, disability, or socio-economic status -- in addition to their gender. Further, the article describes various forms of legislations enforced across the world for the protection of women. We want every woman and girl to realize the rights that are enshrined in the Universal Declaration of Human Rights. We also stand for other rights that are vital for women's equality.

Keywords: equality of women and men

1. Introduction

"The world of humanity has two wings—one is women and the other men. Should one wing remain weak, flight is impossible".

We believe that the equality of women and men is a facet of human reality and not just a condition to be achieved for the common good. That which makes human beings human—their inherent dignity and nobility—is neither male nor female. The search for meaning, for purpose, for community; the capacity to love, to create, to persevere, has no gender. This has profound implications for the organization of every aspect of human society. Gender equality is at the very heart of human rights and United Nations values. A fundamental principle of the United Nations Charter adopted by world leaders in 1945 is "equal rights of men and women", and protecting and promoting women's human rights is the responsibility of all States.

Yet millions of women around the world continue to experience discrimination:

- Laws and policies prohibit women from equal access to land, property, and housing
- Economic and social discrimination results in fewer and poorer life choices for women, rendering them vulnerable to trafficking
- Gender-based violence affects at least 30% of women globally
- Women are denied their sexual and reproductive health rights
- Women human rights defenders are ostracized by their communities and seen as a threat to religion, honour or culture
- Women's crucial role in peace and security is often overlooked, as are the particular risks they face in conflict situations

Moreover, some groups of women face compounded forms of discrimination -- due to factors such as their age, ethnicity,

disability, or socio-economic status -- in addition to their gender.

Effectively ensuring women's human rights requires, firstly, a comprehensive understanding of the social structures and power relations that frame not only laws and politics but also the economy, social dynamics and family and community life. Harmful gender stereotypes must be dismantled, so that women are no longer viewed in the light of what women "should" do and are instead seen for who they are: unique individuals, with their own needs and desires.

The Universal Declaration of Human Rights

The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights. Drafted by representatives with different legal and cultural backgrounds from all regions of the world, the Declaration was proclaimed by the United Nations General Assembly in Paris on 10 December 1948) as a common standard of achievements for all peoples and all nations. It sets out, for the first time, fundamental human rights to be universally protected and it has been translated into over 500 languages.

The international framework

Discrimination based on sex is prohibited under almost every human rights treaty - including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, which under their common article 3 provide for the rights to equality between men and women in the enjoyment of all rights.

In addition, there are treaties and expert bodies specifically dedicated to the realization of women's human rights.

Millennium development goals

The inclusion of gender equality and women's empowerment as one of the eight Millennium Development Goals was a reminder that many of those promises have yet to be kept. It also represents a critical opportunity to implement those

promises.

In spite of these international agreements, the denial of women's basic human rights is persistent and widespread. For instance:

- Over half a million women continue to die each year from pregnancy and childbirth-related causes.
- Rates of HIV infection among women are rapidly increasing. Among those 15-24 years of age, young women now constitute the majority of those newly infected, in part because of their economic and social vulnerability.
- Gender-based violence kills and disables as many women between the ages of 15 and 44 as cancer. More often than not, perpetrators go unpunished.
- Worldwide, women are twice as likely as men to be illiterate.
- As a consequence of their working conditions and characteristics, a disproportionate number of women are impoverished in both developing and developed countries. Despite some progress in women's wages in the 1990s, women still earn less than men, even for similar kinds of work.
- Many of the countries that have ratified CEDAW still have discriminatory laws governing marriage, land, property and inheritance.

While progress has been made in some areas, many of the challenges and obstacles identified in 1995 still remain. In addition, the new challenges for women's empowerment and gender equality that have emerged over the past decade, such as the feminization of the AIDS epidemic, feminization of migration, and increasing of trafficking on women need to be more effectively addressed.

The Convention on the Elimination of Discrimination against Women (CEDAW)

Considered the international bill of rights for women, the Convention defines what constitutes discrimination against women and sets an agenda for national action to end such discrimination. It was adopted by the United Nations in 1979 and came into force on 3 September 1981.

The CEDAW Committee

Oversight of the Convention is the task of the Committee on the Elimination of Discrimination against Women, a group of 23 independent experts on women's rights from different States that have ratified the Convention. Countries that are parties to the Convention must submit reports detailing their compliance with its provisions every four years. The Committee (the treaty body) reviews those reports and may also hear claims of violations and inquire into situations of grave or systemic contraventions of women's rights.

The Special Reporter on violence against women

In 1994 the United Nations resolved to appoint a Special Reporter - an independent expert -- on the causes and consequences of violence against women. The Special Reporter investigates and monitors violence against women, and recommends and promotes solutions for its elimination.

The Working Group

In 2010 the Human Rights Council established a Working Group on the issue of discrimination against women in law

and in practice to promote the elimination of laws that discriminate against women and/or have a discriminatory impact on them.

UNFPA at work

In every region of the world, UNFPA is working to promote women's rights and end discrimination against them. The Fund is increasingly involved in protecting the rights of women affected by conflict, and ensuring that women can have an active role in peace building and reconstruction efforts. The Fund's programming also addresses all 12 of the critical areas of concern identified at Beijing.

In many cases, UNFPA is able to multiply its effectiveness by supporting legislation that protects the rights of women, such as groundbreaking laws in Ecuador and Guatemala granting women the right to reproductive health care. In some cases, the Fund gets results by partnering with men as in Niger. The Fund also supports services for women who are victimized by various forms of gender-based violence. For instance, it supports help for women who are abused by their husbands in Afghanistan. It has helped establish a shelter for women who have been trafficked in the Republic of Moldova and funds a centre to help girls escape female genital mutilation in Tanzania.

What rights do we stand for?

We want every woman and girl to realize the rights that are enshrined in the Universal Declaration of Human Rights. We also stand for other rights that are vital for women's equality. We stand for a woman's right to decide if and when she has children, and to have high-quality health care that means she won't die in pregnancy or during childbirth. We know female genital mutilation is a violation of girls' rights, and must be eliminated. And we stand for the right of every woman to live equally and free from discrimination, no matter her sexuality or identity.

We support two critical documents for women's rights that have followed the UN declaration. The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), an international bill of rights for women, requires governments to end gender discrimination and affirms women's rights to health services, including family planning. The Beijing Declaration and Platform for Action, adopted in 1995 at the UN's Fourth World Conference in Beijing, was a rallying cry to embed gender equality and women's rights in every facet of life.

Women's rights and the Global Goals

The UN Millennium Development Goals set specific targets to reduce poverty, including targets for increased gender equality in education, work, and representation. UN Women found that progress was uneven. Globally, more women are now in school and work. Yet girls are still more likely than boys to be out of school (particularly at the secondary level). And although the number of women in elected office has risen, they are still only 21.8 percent of parliamentarians. What's more, women's rights remain at risk in many areas not addressed in the millennium goals – from violence against women to sexual and reproductive rights. And women who are already marginalized because of their race, caste, sexuality, income, or location see the fewest gains of all.

The new Sustainable Development Goals (SDGs) hold real

promise to embed advances in women's rights, and include a specific goal (Goal 5) for gender equality. Goal 5 is more broad-based than the last gender goal and includes targets on ending gender-based violence, eliminating child marriage and female genital mutilation, and ensuring access to sexual and reproductive health. It also includes equal access to education, expanding women's economic opportunities, and reducing the burdens of unpaid care work on women and girls. Now it is up to all of us to hold governments accountable for their commitments and make sure the goals are met. Involving women – and funding the solutions of grass-roots women's groups – will be critical to success.

What does the future of women's rights look like?

We know that we are making progress. But we aren't there yet. Women's rights are denied in every region of the world, and discrimination persists. Yet despite all of this, it is women who have come together, creating organizations, coalitions, and movements to win rights and deliver change.

Global Fund for Women is working for a world where every woman and girl can realize and enjoy her human rights. We support women's movements to create shifts in power and lift voices for change.

Only when women and girls have full access to their rights – from equal pay and land ownership rights to sexual rights, freedom from violence, access to education, and maternal health rights – will true equality exist. Only when women have taken leadership and peacemaking roles and have an equal political voice will economies and countries be transformed. And only then will all women and girls have the self-determination they are entitled to.

Anyone Can Stand Up for the Rights of Women

Any individual, non-governmental organization, group or network may submit communications (complaints/appeals/petitions) to the Commission on the Status of Women containing information relating to alleged violations of human rights that affect the status of women in any country in the world. The Commission on the Status of Women considers such communications as part of its annual programme of work in order to identify emerging trends and patterns of injustice and discriminatory practices against women for purposes of policy formulation and development of strategies for the promotion of gender equality.

Actions to be taken by Governments

- a. Work actively towards ratification of or accession to and implement international and regional human rights treaties;
- b. Ratify and accede to and ensure implementation of the Convention on the Elimination of All Forms of Discrimination against Women so that universal ratification of the Convention can be achieved by the year 2000;
- c. Limit the extent of any reservations to the Convention on the Elimination of All Forms of Discrimination against Women; formulate any such reservations as precisely and as narrowly as possible; ensure that no reservations are incompatible with the object and purpose of the Convention or otherwise incompatible with international treaty law and regularly review them with a view to withdrawing them; and withdraw reservations that are

contrary to the object and purpose of the Convention on the Elimination of All Forms of Discrimination against Women or which are otherwise incompatible with international treaty law;

- d. Consider drawing up national action plans identifying steps to improve the promotion and protection of human rights, including the human rights of women, as recommended by the World Conference on Human Rights;
- e. Create or strengthen independent national institutions for the protection and promotion of these rights, including the human rights of women, as recommended by the World Conference on Human Rights;
- f. Develop a comprehensive human rights education programme to raise awareness among women of their human rights and raise awareness among others of the human rights of women;
- g. If they are States parties, implement the Convention by reviewing all national laws, policies, practices and procedures to ensure that they meet the obligations set out in the Convention; all States should undertake a review of all national laws, policies, practices and procedures to ensure that they meet international human rights obligations in this matter;
- h. Include gender aspects in reporting under all other human rights conventions and instruments, including ILO conventions, to ensure analysis and review of the human rights of women;
- i. Report on schedule to the Committee on the Elimination of Discrimination against Women regarding the implementation of the Convention, following fully the guidelines established by the Committee and involving non-governmental organizations, where appropriate, or taking into account their contributions in the preparation of the report;
- j. Support the process initiated by the Commission on the Status of Women with a view to elaborating a draft optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women that could enter into force as soon as possible on a right of petition procedure, taking into consideration the Secretary-General's report on the optional protocol, including those views related to its feasibility;
- k. Take urgent measures to achieve universal ratification of or accession to the Convention on the Rights of the Child before the end of 1995 and full implementation of the Convention in order to ensure equal rights for girls and boys; those that have not already done so are urged to become parties in order to realize universal implementation of the Convention on the Rights of the Child by the year 2000;
- l. Address the acute problems of children, inter alia, by supporting efforts in the context of the United Nations system aimed at adopting efficient international measures for the prevention and eradication of female infanticide, harmful child labour, the sale of children and their organs, child prostitution, child pornography and other forms of sexual abuse and consider contributing to the drafting of an optional protocol to the Convention on the Rights of the Child;
- m. Strengthen the implementation of all relevant human rights instruments in order to combat and eliminate,

- including through international cooperation, organized and other forms of trafficking in women and children, including trafficking for the purposes of sexual exploitation, pornography, prostitution and sex tourism, and provide legal and social services to the victims; this should include provisions for international cooperation to prosecute and punish those responsible for organized exploitation of women and children;
- n. Taking into account the need to ensure full respect for the human rights of indigenous women, consider a declaration on the rights of indigenous people for adoption by the General Assembly within the International Decade of the World's Indigenous People and encourage the participation of indigenous women in the working group elaborating the draft declaration, in accordance with the provisions for the participation of organizations of indigenous people.

Conclusion

The concept of human rights is based on the assumption that human beings are born equal in rights and dignity. These are the rights which are inherent in our nature and without which we cannot live as human beings. These are moral rights of the higher order connected with socially shared moral conceptions of the nature of the humans the conditions necessary for a life of dignity. The right to dignity and life has been the basic doctrine in virtually every culture and civilization, religion and philosophy. However, discrimination continues to exist because of ignorance, prejudice and fallacious doctrines in order to justify the inequalities in society on basis of race, sex, colour, systems. The Protection of Human Rights Act, 1993 defines "Human Rights" as, Human Rights means rights relating to life, liberty, equality and dignity of the individuals guaranteed by the Constitution or embodied in the International Covenants and enforceable by Courts in India. Thus Human rights represent claims which humans made on society. It is a right of an individual or a group of individuals. These rights are inalienable and human beings are entitled to them by birth. It is a universal and legal concept. These rights are meant to uphold human dignity and equality and to set forth liberty and fraternity to all without any kind of discrimination. These rights are the basic minimum requirement for survival of human beings in society. These rights are executed only within the society and are protected and enforced by the authority of the state at all levels.

References

1. Poplin DE. Social Problems. Scott, Foresman & Company, England, 1978.
2. Leslie GR. Marriage in a Changing World. University of Florida, New York, 1977.
3. Dever, Kephart WM. The Family Society & the Individual. Harper & Row Publisher, New York, 1988
4. Tripathi TP. An Introduction to the study of Human Rights. Allahabad Law Agency Publications, 2008.
5. Singhal SC. Human Rights. Educational Publishers, Agra, 2008.
6. <https://www.globalfundforwomen.org/womens-human-rights/>
7. <http://www.unfpa.org/resources/human-rights-women>
8. <http://www.ohchr.org/EN/Issues/Women/WRGS/Pages/>

WRGSIndex.aspx

9. <https://www.bic.org/focus-areas/equality-men-and-women#8DwcRIDdom2HQ9wg.97>
10. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2325876.