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**INTRODUCTION**

**Actuality of the research**:

"Women's rights are human rights".[[1]](#endnote-1)

The popular motto was used by the women's rights movement at the 1993 international convention on human rights in Vienna. Achieving equal rights for men and women, as well as the elimination of all types of discrimination against women, are basic human rights as well as basic human rights of the United Nations.

Women all over the world, however, are constantly being violated for the rest of their lives and recognizing women's rights has not always been a priority.

Achieving gender equality takes a concerted effort to understand how women deal with discrimination and the prohibition of equality in order to develop appropriate strategies to eliminate such discrimination.[[2]](#endnote-2)

The United Nations has a long history of dealing with women's rights and has made great strides in securing women's rights worldwide in recent decades. However, important gaps still exist and the realities of women are constantly changing with the new manifestations of targeted discrimination emerging from time to time. A particular group of women is facing more forms of discrimination based on age, race, nationality, religion, health status, marital status, education, disability and socioeconomic status, among other reasons[[3]](#endnote-3)

These conflicting forms of discrimination must be considered in the implementation of measures and responses to combat discrimination against women.

Human rights and fundamental freedoms should be the birthright, but globally, some countries have failed to grant women's rights. In addition, women are often the victims of human rights abuses. Women's rights are violated when they are denied political involvement and fair representation, and also when they are unable to participate in decisions that affect their life, they are also barred from going to school or accessing health care, when they face discrimination in the workplace, when they are denied equal rights and ownership of land and property, when they suffer domestic violence and when they engage in harmful practices such as genital mutilation and murder.

Recognition of women's rights began in some countries as they shifted from feudalism to more different types of government and women's rights awareness grew in the United States, at the forefront of the American Revolution. Powerful and intelligent women like Abigail Adams, wife of John Adams, the second president of the United States, demanded fair and equitable treatment and they sincerely warned, to be represented in it. ” She said she was advocating for equal access to girls' education, she then wrote a letter to her husband, who was then the fledgling American Republic's representative of Paris: "I regret the small contracted women in our country." The feminist movement originated in the mid-nineteenth century in the United States and Great Britain and in the early twentieth century in a few European countries. Women's rights emerged as an international organization during the Tenth International Women's League (1975-1985), when women from many different backgrounds, cultures, religions, races, and ethnic groups came together and planned to advance the position of women Several UN-sponsored women's conferences took place during this decade: Mexico City in 1975, Copenhagen in 1980, and Nairobi in 1985 - exploring the status of women and developing women's development strategies.

The ban on gender-based violence against women has become a staple of international humanitarian law and blinds all provinces. Today, the main challenges are the lack of full protection of women's rights such as human rights, coupled with a lack of integrated laws and policies against such violence and a lack of comparative data on the various forms of gender-based violence against women.

Women and girls represent half the people of the world and therefore, and half of its power. Gender equality, in addition to being a fundamental human right, is essential for the attainment of peaceful, equitable human rights and sustainable development. In addition, it has been shown that women's empowerment promotes productivity and economic growth. The UN's support for women's rights began with the founding document. Among the UN objectives enshrined in Article 1 of its constitution are Achieving international cooperation in advocating for and promoting respect for human rights and fundamental freedoms for all people, regardless of race, gender, language, or religion.[[4]](#endnote-4)

In 1979, the General Assembly adopted the Convention on the Elimination on All Forms of Discrimination against Women (CEDAW), defined as the International Women's Rights Bill. In the 30s, the Convention explicitly defines discrimination against women, setting the agenda for national action to end such discrimination. The Convention recognizes culture and tradition as the influential force that forms the roles of gender and family relationships, and is the first human rights treaty to strengthen the reproductive right of women.

**Goal of the research**: The research aim of this study is to achieve the following:

1. To assess the history and the struggle of the women in the past years
2. To examine the roles of the United Nations in the protection of women’s rights.
3. To assess the mechanisms at which the United Nations is using to combat women’s right violations in the world and to also to examine the different rights given to the women.

**Significance of the research**: This study will investigate the significant progress that should be towards eradicating violence against women; it will also examine the women’s right movements, and the implementation and evolution of the international women’s human rights framework. The implementation of international obligations and recognized contributions provided by the independent women’s human rights expert mechanisms will be assessed such as the council to Eliminate discrimination against women, the working group on discrimination against women and girls, as well as other regional women’s human rights monitoring mechanisms.

**Research methodology**: The methodological basis for this thesis is the theoretical concepts of women's rights. The following common scientific and specialized research methods have been used: logical, scientific orientation, input and output, structural analysis and integration, structural dynamics analysis, analog classification, diagnostics, generalization. The research information base consists of official publications as well as analytical materials of the UN, UDHR, ICESCR, ICCPR, CRC, ECOWAS and many more.

**Structure of the research**: The thesis of total volume of 74 pages consists of an introduction, three sections, conclusions and list of references.

**CHAPTER 1**

**WOMEN'S HUMAN RIGHTS PROTECTION UNDER INTERNATIONAL LAW**

* 1. **INTERNATIONAL HUMAN RIGHTS INSTRUMENTS**

International human rights law emerged following World War II, the United Nations was established and the ratification of fundamental human rights treaties. Prior to this, however, a few precursors laid the foundation for the international legal framework for human rights as it exists today. In particular, human rights were legally protected in other domestic laws, including in France under the 1789 Declaration des droits de l'homme et du citoyen (1789 Declaration of Human Rights and Citizenship) and in the United States of America, under the 1776 Declaration of Virginia and the Declaration of Independence. United States. In addition, international law's principle of diplomatic protection allowed States to intervene on behalf of foreign nationals, in order to ensure that they were handled fairly and in conformity with international immigration rules. Later, the Red Cross Movement's and the United Nations' impact with the 1919 establishment of the International Labor Organization (ILO) led to the conclusion, respectively, of the first international treaties and the Geneva Conventions designed to protect industrial workers from harmful exploitation and to improve their quality working conditions. Finally, the small treaties concluded after World War I sought to protect the rights of minorities in terms of race and language and therefore are sometimes seen as a precursor to modern international human rights tools. Furthermore, the Slavery Convention (1926) and the Supplementary Convention on the Abolition of Slavery (1956) which were both adopted in 1926, enabled groups to commit to the oppression of trading of slaves and the end of the slave trade However, strictly speaking, these accords did not establish individual rights which guarantees individual rights, only the obligations of the State.

"The promotion and advancement of human rights and fundamental freedoms for everyone without discrimination of race, sex, language, or religion" was one of the goals of the United Nations when it was founded in 1945.[[5]](#endnote-5)

” was one of the fundamental goals of international society. The Universal Declaration of Human Rights (1948) provides the first official definition of the term “human rights”, as used in the UN Charter. Although we have not been drafted or voted on as a legally binding instrument, the Declaration now - almost 70 years later - can be regarded as a standard human rights standard.

**UDHR**

The Universal Declaration of Human Rights (hereinafter referred to as the UDHR) was adopted by the United Nations General Assembly on December 10, 1948, and serves as the foundation for all human rights conventions and declarations.[[6]](#endnote-6)

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The Human Rights Commission (later called the CHR) and the Commission on the Status of Women (hereafter called CSW) clashed several times during the UDHR drafting process in 1946-48. The original framework was changed from “all people are brothers” through CSW, to "all human beings are born free and equal in dignity and rights"[[7]](#endnote-7)

This document now covers article 1 of UDHR.

Article 2 contains one of the most important principles in international human rights law, the principle of equality. Prohibition of discrimination applies to all other human rights. It states:

“Everyone has the rights and freedoms outlined in this proclamation, regardless of race, color, or sexual orientation."[[8]](#endnote-8)

The right to equality before the law can be found in Article 7, as well as the right to nationality, applicable to women, in article 14.

The right to marry and start a family is set out in Article 16, and it deals with various aspects of this right. First, the right to marry, “without restriction on the basis of race, nationality or religion”, has the right to protection of persons entering into marriage, such as consent, minimum age, and equal rights for spouses during marriage and for dissolution. Second, the right to family, and its protection, and ultimately, the family concept as

the "natural and fundamental group of society”

The UDHR is a resolution, and therefore does not bind Member States. Although, many argue that the UDHR should be regarded as international customary law.[[9]](#endnote-9)

**Core International Human Rights Treaties**

The International Bill of Rights has been supplemented by a number of specific instruments, which include both strong human rights procedures such as the application of grievance procedures, reporting procedures and questions and other matters. By two agreements, these agreements form what is commonly called the “fundamental human rights treaties” that include the following resources:

• International Convention on Civil and Political Rights (ICCPR; ratification 1966; effective in 1976);

• Optional Protocol to ICCPR (OP-ICCPR; adopted 1966; effective in 1976); Second Optional Protocol to ICCPR aimed at abolishing the death penalty (acquired 1989); • International Covenant on Economic, Social and Cultural Rights (ICESCR; ratification in 1966; effective in 1976);

• Optional Protocol to ICESCR (OP-ICESCR; adopted in 2008; effective in 2013);

• International Convention on the Elimination of All Forms of Racial Discrimination (CERD; adopted 1965; came into effect in 1969);

• Convention on the Elimination of All Forms of Discrimination against Women (CEDAW; adoption in 1979; enactment in 1981);

• CEDAW Optional Protocol (adopted in 1999; effective in 2000);

• Convention against Harassment and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT; adoption 1984; commencement in 1987);

• Optional Protocol to CAT (OPCAT; adoption in 2002; effective in 2006);

**ICESCR**

The principle of non-discrimination can be found in art 2 of the International Convention on Economic, Social and Cultural Rights (later to be called ICESCR), and equal rights for men and women to enjoy the rights set out in Article 3. in article 10. Section 10 recognizes that special protection should be given to mothers in a timely manner before and after childbirth.

**ICCPR**

The International Convention on Civil and Political Rights (later called the ICCPR) the General Assembly accepted it in 1966, and it went into effect ten years later.[[10]](#endnote-10).

Article 2 of the ICCPR, a non-discriminatory clause similar to section 2 of the UDHR, which refers to equality under the Convention without discrimination of any kind, emphasizes the provision of an effective solution to any rights holder in accordance with the Convention. Article 3 further emphasizes the United Nations obligation to “ensure the equal and inalienable rights of all men and women.

The right to marry is also protected by the ICCPR, and Article 23 (2-3) states that free and full consent of those who intend to marry is required for the marriage to take place, and Article 23 further states that State Parties to the ICCPR take steps to ensure equal rights and marital obligations “in relation to the marriage, at the time of the marriage and its dissolution”.

Article 26 puts the equality of all people before the law, requires the law to prohibit any discrimination, and "ensures equitable and effective protection for all persons from discrimination for any reason such as ... sex". ICCPR has so far been approved by 149 states[[11]](#endnote-11).

**CRC**

The Convention on the Rights of the Child (hereafter called the CRC) was adopted by the General Assembly in 1989 and came into operation in 1990, reaching almost universal recognition in 1996. The term "child" means, according to article CRC 1, "everyone under the age of eighteen unless, under the law applicable to a child, the majority is found prematurely."

Article 2 states that Member States must respect and guarantee the rights in the Convention to each other in their territory without discrimination of any kind. Section 7 (1) gives every child the right to acquire citizenship, as well as the right to know his or her parents and to be cared for by them. According to Article 18 (1), its Member States “should exert them vigorously to ensure the. notion that both parents have equal responsibility for raising and nurturing a child is recognized.”

**1.2 REGIONAL INSTRUMENTS**

In addition to the UN charter-based UN-based human rights system, which operates in all provinces, and a UN-based program, which only applies to Groups, many African countries, the United States, the Arab region and Europe take on binding obligations of human rights at the regional level and adopt international monitoring of these obligations. The regional agreement on human rights and oversight has not yet been adopted in the Asia-Pacific region, but the process is ongoing within the Association of Southeast Asian Nations (ASEAN) to establish a regional human rights mechanism.

**AFRICA**

The African Union, currently known as the African Union (AU), adopted the African Charter on Human and People's Rights in 1981, and it went into force in October 1986. Except for South Sudan, all African Union member states had accepted the Charter as of March 2016. As its theme states, this regional treaty, in addition to its many social, political, economic, social and cultural rights, also provides for the universal right to equality, free will, freedom of movement and natural resources, development, peace and security nationally and internationally and “satisfactory environment” general ”.The AU has adopted treaties on refugee protection, women's rights, and children's rights in addition to the Charter. The African Charter establishes a grievance procedure that can be brought before the African Commission on Human and Peoples' Rights (ACHPR), which is based in Banjul, Gambia. Any person or group may file a complaint (or "communication"). This includes states, which can lodge complaints between States, and any other person or organization, such as NGOs, families, families, communities or other groups. If one or more communications submitted to the Commission appear to indicate a pattern of serious or serious human rights violations, the Commission may notify the AU's highest political body, the Heads of State and Government, who may request that the Commission conduct a thorough investigation into the situation. In addition to the grievance procedure, the Commission also reviews State reports under the same procedure as that of the United Nations convention. It has a number of distinctive procedures in place, including special reporting, working groups, and committees, all of which are tasked with investigating and reporting on specific human rights issues.

On January 25, 2004, an additional Protocol to the African Charter, which was approved in 1998 to establish the African Court of Human Rights, went into effect., Following its commencement in November 2006 in Addis Ababa (Ethiopia), the Court permanently abolished it. Arusha (United Republic of Tanzania) in August 2007. Court decisions, unlike those of the Commission, bind the parties. The Court can receive complaints about breaches of the African Charter and other human rights treaties from several plaintiffs: Commission; United States complaints to the Commission; Countries One or more groups whose citizens claim human rights abuses; African government agencies; individuals; and before the African Commission on Human Rights Individual and non-governmental organization complaints, on the other hand, are only accepted, if the respondent state has accepted the Court's power to receive appeals. In addition to the “disputed jurisdiction” (the ability to hear cases between parties), the Court also has the ability to provide advisory opinions that translate the African Charter and other relevant human rights bodies that bind Member States and assess local compliance. The Court was established as a result of Article 1 of the Protocol to the African Charter on Human and Peoples 'Rights regarding the establishment of the African Court of Human and Peoples' Rights (Protocol) which was adopted by the Member States of the then Organization. African Unity in Ouagadougou, Burkina Faso, June 1998. The Protocol came into effect on January 25, 2004 after it was adopted by more than 15 countries. The Court issued its first decision in 2009 following an application on August 11, 2008 against Senegal. Since January 2016 they received 74 applications from individuals and non-profit organizations. However, most of these applications were rejected because of a lack of capacity, either because the State in which the case was filed did not accept the law or because the State did not recognize the Court's jurisdiction to prosecute NGOs or individuals. Only seven Parties to the Convention had issued a declaration recognizing the Court's jurisdiction to convict NGOs and individuals as of February 2016. The African Union, the African Court on Human and Peoples' Rights, and the African Court of Justice united in July 2008 to become the African Court of Justice and Human Rights, a new regional court. It also adopted a new court rule, but as of July 2016, only five States (Benin, Burkina Faso, Congo, Libya and Mali) had ratified it (of the 15 states required for the treaty to take effect). The ECOWAS Community Court of Justice, with its general mandate to ensure compliance with ECOWAS rules and regulations, has a particular role to play in protecting human rights. The Court's jurisdiction was expanded after the Supplementary Protocol was adopted in 2005, allowing it to hear individual complaints concerning alleged human rights abuses in any ECOWAS Member State. It does not require that domestic remedies be exhausted before cases can be brought before it, unlike the African Commission and the African Court. The East African Court of Justice, the East African Community's judiciary, was established in 2001 and has authority over the translation and implementation of the East African Community's founding convention. Members of the public may choose to address human rights issues in court using a law-abiding jurisdiction. The SADC Tribunal, which was founded in 1992, is the judicial arm of the Southern African Development Community (SADC). The SADC Tribunal has jurisdiction over it, despite the fact that it is not a human rights court, and it has heard a number of cases containing human rights issues.

**THE AMERICAS**

The inter-American human rights plan encompasses two distinct processes, one based on the Organization of American States (OAS) Charter and the other on the American Convention on Human Rights (also known as the San José Convention). The American Convention on Human Rights is legally obligatory solely on member states, notwithstanding the fact that the charter-based system applies to all OAS members. The Convention, adopted in 1969 and operational since 1978, focuses on civil and political rights, and is supplemented by an additional protocol (adopted in 1988, which came into effect in 1999) on economic, social and cultural rights (San Salvador Protocol). . The OAS also adopted special agreements on forced disappearances, abuses, violence against women, child trafficking worldwide and discrimination against people with disabilities. The Convention provides for international and individual grievances before the International Commission on Human and Peoples' Rights (IACHR), a judicial body located in Washington, DC, and the American Court of Human Rights, based in San José (Costa Rica). In March 2016, 23 of the 35 OAS Member States were part of the Conference and 19 have recognized the power of the Court. Governments that have not yet ratified the Conference (or withdrew, such as Trinidad and Tobago and the Bolivarian Republic of Venezuela) have relied solely on a charter-based system (prior to the United States Commission). The vast majority of the thousands of complaints lodged under this scheme are dealt with solely by the Inter-American Commission, which states that they are unacceptable, which deals with the settlement of a friendly agreement or makes its findings on the merits of the cases public, including non-acceptance binding recommendations. Applicants themselves have no right to bring their cases to the United States Human Rights Court; only the nations concerned and the Commission may do so. In most cases appealed to the Court, the countries concerned have been found guilty of serious and systematic human rights violations (including torture, unjust killings and forced disappearances) and have been ordered to ensure payment in excess of monetary compensation, including reimbursement guarantees, to victims and their families. The United States Court of Appeals has the power to provide legal advice, interpret international human rights treaties (in particular the American Convention on Human Rights), and to monitor compliance with domestic laws and conventions. In 2005, the Caribbean Court of Justice was established. Its offices are in Trinidad and Tobago's Port of Spain, but it also holds hearings against other contracted parties. The Court has both the original and the appellate jurisdiction and serves as the final appellate court for members who have recognized their jurisdiction over internal law. The Court has the authority to hear complaints affecting the Caribbean Common Market, as well as human rights and environmental concerns.

**ARAB REGION**

The Arab Charter on Human Rights was adopted by the League of Arab States (LAS) in May 2004 and went into force in March 2008. The revised Charter replaced the Arab Charter, which was adopted in September 1994 but was not approved by any Member States of LAS. The Charter review process was embraced by the OHCHR, which authorized a written team of Arab human rights experts from among members of the United Nations Human Rights Treaty Bodies. The recommendation of the group of Experts was then modified and approved by the Arab Human Rights Commission - also known as the Arab Human Rights Standing Committee or the Permanent Arab Commission on Human Rights. The Arab League Human Rights Commission was established in 1968 as a permanent human rights organization LAS, and is made up of representatives of each member State. Civil society organizations have been eligible to get a viewing position with the Commission since 2003. In addition to its final role in adopting the first and revised versions of the Arab Charter, the United Arab Emirates Human Rights Commission has been active in condemning human rights abuses in other Arab countries, and has considered the human rights education program in the Arab world, and reviewed agreements within the LAS in accordance with the revised Arab Charter. The new Arab Charter improves on the previous one and includes a complete list of rights that do not exist in any regional human rights framework. On crises, fair trial guarantees, slavery, sexual assault, the rights of people with disabilities, and trafficking, the present Charter is far more advanced than the previous one. The revised Charter, which also respects the right to development[[12]](#endnote-12), enshrines the principle that all human rights are "universal, indivisible, interdependent and interrelated"[[13]](#endnote-13), and recognize a number of children's rights.[[14]](#endnote-14) A human rights committee is established by the Arab Charter to monitor the State's implementation of the Charter through State reports and to submit recommendations to the LAS Council. The committee is made up of seven human rights experts and operates in a similar way to the United Nations Human Rights Committee, although it does not have the capacity for Individual complaints to be received. Article 52 of the Arab Charter stipulates for the adoption of agreements in the Charter, which may allow for individual grievances in the future. The Independent Human Rights Commission (IPHRC) of the Organization of Islamic Cooperation (OIC) met for the first time in 2012. Jeddah is home to the IPHRC, Saudi Arabia, and is made up of 18 independent experts who provide legal advice to members while making research and recommendations to the OIC. The IPHRC does not receive individual criticism but operates in an advisory and coordinated manner, seeking to promote co-operation on human rights issues between the OIC, its members, civil society organizations and human rights processes around the world.

**ASIA AND THE PACIFIC**

Although the regional human rights summit does not exist, countries in Asia and the Pacific have focused on strengthening regional cooperation, including the OHCHR, in promoting respect for human rights. Countries that participated in a series of workshops for the Asia-Pacific region over the past 20 years have formed a framework for cooperation. ASEAN has taken a significant step toward establishing a regional human rights framework in Asia. ASEAN established the ASEAN Intergovernmental Commission on Human Rights (AIHR) in October 2009. In October 2009, ASEAN established the ASEAN Intergovernmental Commission on Human Rights (AIHR). Its mandate is limited to developing strategies, developing awareness and promoting the effective implementation of International Human Rights obligations. In this regard, the Commission was tasked with developing the ASEAN Declaration of Human Rights (AHRD), adopted at the 21st ASEAN Conference in Phnom Penh (Cambodia, November 2012). The Declaration was widely criticized, however, for failing to adhere to international human rights norms and standards and for failing to engage in meaningful public consultation during the planning process. Other regional mechanisms with human rights components, such as the Convention Against Trafficking in Persons, Especially Women and Children, were adopted in November 2015 in Kuala Lumpur, Malaysia, but are not yet operational (since March 2016). The South Asian Association for Regional Cooperation (SAARC) has adopted a number of accords dealing with human rights issues, such as women's and children's trafficking, child welfare, and terrorism prevention. In the Pacific, there is no subordinate human rights mechanism or body, but the issue has been debated in recent years. The Asia Pacific Forum of National Human Rights Institutions (APF) is a crucial regional body. Its members are regional NHRs that adhere to worldwide criteria outlined in the Paris Principles.

**EUROPE**

**COUNCIL OF EUROPE**

Following World War II, the Council of Europe was founded. It's a multilateral organization with 47 members. Its principal goals are to promote democracy in Europe and to preserve human rights and the rule of law. The Council began establishing the ECHR as soon as it was founded in 1949, signing it in 1950 and putting it into effect in 1953. The social, economic and cultural rights are contained in the European Social Charter (1961-65) and its additional regulations and revisions (Revised European Social Charter, 1996–99, gradually replacing Volume I). In addition, the Council of Europe has adopted special agreements in areas where, among other things, information protection, immigrant workers, minority, prevention of abuse, biomedicine, human trafficking and violence against women. Today, the ECHR provides a highly advanced human rights system monitoring rights at the district level. Article 34 of the European Convention, says any person, NGO or group of persons claiming to be a victim of human rights violations under the Convention and its principles, has the right, once all medical procedures have been exhausted, to apply to the European Union. The Court of Human Rights in Strasbourg (France) being the only human rights court with full-time professional judges. If a breach of the law is found, the Court may grant compensation to the victim. It makes final decisions that are legally binding on the States Parties. Their execution is overseen by a Ministerial Committee, the highest political party of the Council of Europe. The Court receives about 65,000 applications each year and has a growing difficulty in handling this huge legal burden. Protocol No. 14, which came into effect in June 2010, aims to address this issue and ensure the effective functioning of the long-term Court by properly evaluating and considering applications, which provides for simple cases to be heard by a single judge or bench for three judges, and for the period of the judges to be extended for another nine years with no chance of re-election. Some of the changes introduced in Protocols 15 and 16 (2013) extend the role of national courts and enable local appeals courts to ask for advice in the Court on policy issues related to the definition or exercise of the rights and freedoms contained in the ECHR.

The Protocol to the European Social Charter, which came into effect in 1998, certain organizations, may lodge complaints with the European Committee for Social Rights. Once the appeal has been declared acceptable, a process is adjourned, leading to a decision on the suitability of the Committee. The decision was communicated to the parties concerned and to the Ministerial Committee in the report, which was released to the public within four months. The Ministerial Committee welcomes the decision, in which it recommends that the State concerned take concrete steps to ensure that the situation is in line with the Charter The European Committee for the Prevention of Torture and Inhuman or Punishment was founded by the European Convention on the Prevention of Torture and Inhuman or Punishment, which entered into force in February 1989 (CPT). CPT is made up of independent State Party specialists who regularly visit unannounced and unsupervised in all detention centers to prevent torture and other ill-treatment. Since its inception, the Committee has visited more than 400 times and published more than 300 reports. In 1994, the Council of Europe established the European Commission against Racism and Tolerance (ECRI) as an independent watchdog to combat racism, xenophobia, discrimination and intolerance. In 1999, the Council of Europe established an independent human rights commission that has the authority to promote awareness and respect for human rights in the 47 member states of the Council. The Commissioner meets with Member States on a regular basis, travels to countries, makes strategic recommendations, and promotes the development of national human rights structures.

**EUROPEAN UNION**

Upon the adoption of the European Union Treaty (Maastricht, 1992), “fundamental human rights as guaranteed by the ECHR and as a result of common constitutional norms in Member States” became common principles of Civil Law. In 1997, the Amsterdam Convention established human rights as the fundamental doctrines of the EU. In 2000, EU Member States signed the Charter of Basic Rights, which since its incorporation into the Lisbon treaty (Articles 1 and 7) is legally binding, not only on EU institutions but also on the Member States of the European Union. The Charter encompasses social and political and social, economic and cultural rights, and contains specific guarantees, for example regarding data protection and bioethics. According to Article 53 of the Charter, the basic rights enshrined in the ECHR are limited, although Member States may provide additional protection beyond the provisions of the Convention. Furthermore, nothing in the Charter should be construed as constraining such rights. All EU institutions in principle are involved in the protection of human rights in accordance with their specific instructions. The European Fundamental Rights Agency was founded in 2007 with the mission of advising the European Union and Member States on human rights issues as they relate to the Common Law.

**Organization for Security and Cooperation in Europe**

The OSCE is the world's biggest security organization and is active in promoting and protecting human rights, especially religious freedom, minority rights, free and fair elections, and the prevention of human trafficking are all issues that need to be addressed. The OSCE monitors and reports on the state of human rights in member countries, as well as providing management training. Its specialized institutions include the Office of the Institutions for Democracy and Human Rights, the Office of the Special Representative and the Human Trafficking Coordinator, the Freedom Representative of the Media and the National High Commissioner for Young People. Long-term missions are carried out by the OSCE to promote human rights and democracy in post-conflict countries such as Bosnia and Herzegovina and Kosovo.

**1.3. THE UN ENTITY FOR GENDER EQUALITY AND EMPOWERMENT OF WOMEN**

Women's empowerment and gender equality are the focus of this UN organization. women are unable to find decent jobs and are facing a gender pay gap. Women and girls are routinely denied access to education and healthcare all across the world; they are underrepresented in economic and political decisions; and they are subjected to violence and prejudice. UN Women was founded as a global champion for women and girls to help them meet their global requirements.[[15]](#endnote-15)

In July 2010, the United Nations General Assembly established UN Women, the United Nations Entity for Gender Equality and Women's Advancement, and the United Nations Entity for Gender Equality and Women's Advancement By doing so, UN Member States are taking a big step toward achieving the Organization's gender equality and women's empowerment goals. The creation of UN Women took place as part of the UN transformation plan, which brought together resources and guidelines to make a significant impact. It integrates and builds on the important work of the four different components of the previous UN program, which focused on gender equality and the empowerment of women:

• Women Development Unit (DAW)

• International Research and Training Institute for the Advance of Women (INSTRAW)

• Office of the Special Adviser on Gender and Women Development (OSAGI)

• United Nations Women Empowerment Fund (UNIFEM)

The main roles of UN Women are:

-Support partner organizations, such as the Women's Status Commission, in the formulation of policies, international standards and procedures.

-Help Member States to apply these standards, ready to provide appropriate technical and financial support to their requesting countries, as well as to form effective partnerships with civil society organizations.

-Making the UN system accountable for its responsibilities for gender equality which includes regularly monitoring the progress of the entire program[[16]](#endnote-16).

**CONCLUSION FOR CHAPTER ONE**

Over the decades, the UN has made significant progress in promoting gender equality, which includes key agreements like the Beijing Declaration and Platform for Action, as well as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Gender equality is not only a fundamental human right, but it also has far-reaching social implications. .Empowering women stimulate a thriving economy, promoting productivity and growth. Yet gender inequality remains entrenched in all societies. Women do not have access to decent work and face job discrimination and gender inequality. Basic education and health care are frequently denied to them. Women are victims of violence and discrimination all over the world. They have a smaller voice in political and economic decision-making. For some years, the United Nations has encountered significant obstacles in its efforts to promote global gender equality, including inadequate budget and a lack of a clear driver to guide UN actions on gender equality issues. UN Women was established to address such issues. It will be a powerful and powerful champion of women and girls, giving them a strong voice at the global, regional and local levels, UN Women, among other things, are based on the UN Charter's objective of equality, which are:

• Ending discrimination against women and girls;

• Women’s empowerment; and

• Achieve equality between women and men as partners and beneficiaries of development, human rights, human rights and peace and security.[[17]](#endnote-17)

**CHAPTER 2**

**THE UNITED NATIONS AND WOMEN'S HUMAN RIGHTS PROMOTION AND PROTECTION**

**2.1. THE HUMAN RIGHTS COUNCIL AND ITS MECHANISMS**

After heated discussions at the General Assembly, the HRC was founded in 2006 with a resolution of the General Assembly 60/251. As states did not agree on an amendment to the UN Charter, the Council did not form one of the permanent UN political structures, as did the Security Council and ECOSOC, but was promoted from the active ECOSOC Commission to the General Assembly. Only one of the 47 Member States is smaller than the Commission. It meets at least three times a year, usually in March for four weeks, June for three weeks, and September for three weeks. The HRC may call a special session to address human rights breaches and emergencies at any time if a third of the Member States requests so. The Sub-Commission has been replaced with an 18-member Independent Expert Advisory Committee, which provides knowledge and advice to the Human Rights Council on major human rights matters.  The HRC has a number of procedures, including Regular Review, special procedures and the complaint procedures[[18]](#endnote-18), which are considered in more detail below. The HRC inherited the Commission's active organizations and other mechanisms and established new media issues, such as the right to development, indigenous peoples' rights, the eThekwini Declaration and Action Plan's execution, the regulatory framework for autonomous military and security businesses, the right to peace, and farmer and other labor rights in the countryside. The Forum on Minority Issues, the Social Forum, the Forum on Business and Human Rights, and the Human Rights Forum, Democracy and the Rule of Law are among the Council's other sub-structures. In addition, the HRC may establish investigative procedures, like as factories and commissions of inquiry, to look into complaints of human rights breaches.

In order to ensure fair and equitable treatment in all countries, a new system called Universal Periodic Review (UPR) was introduced in 2006. It includes a once-and-for-all examination of all 193 UN Member States' human rights records . UPR is a Government-run process, under the auspices of the HRC, in which the implementation of human rights in each State is monitored by other countries with the ultimate goal of improving human rights status. At the time of writing, the second UPR cycle was about to be completed. All UN Member States will be reviewed twice. Although the dialogue between the countries in the UPR framework can be very political, the review is based on extensive knowledge. In addition to the report presented by the reviewed State, The United Nations High Commissioner for Human Rights (OHCHR) produces two reports: one based on information provided by NGOs and other stakeholders, such as NHRIs, and the other based on a combination of conclusions and recommendations made by specialized monitoring agencies and procedures, all developed by independent experts, and information provided by UN agencies. Your performance of both Council and UPR was subject to a review process, which was completed in 2011 and brought minor changes to UPR procedures.

The HRC's special procedures system is made up of independent human rights experts who have the authority to report and advise on human rights from the view of a specific body or country. This plan is a major component of the United Nations human rights system and covers all human rights: social, cultural, economic, political and social. The HRC has consistently established a new state authority, which was relatively few in the beginning, in relation to the human rights situation. As of July 2016 there were 41 total jurisdictions and 14 states. 3 Special procedures include any person (called “Special Secretary” or “Independent Expert”) or a five-member working group (one from each of the five United Nations regional groups). Specialized writers, independent experts and members of the working group are appointed by the Human Rights Council and work to the best of their ability. They are committed to supporting independence, efficiency, skills and integrity through integrity, impartiality, honesty and good faith. They are not UN worker and do not have salary. Their independence is essential to their ability to fulfill their responsibilities impartially. The term of office of a jurisdictional officer, whether by the term or by national authority, is limited to six years.

The HRC has established a new grievance mechanism that closely resembles the Commission's old “1503” grievance procedure. It also aims to "address the persistent patterns of human rights violations and fundamental freedoms things can happen anywhere in the globe and under any circumstances." The Working Group on Communication and the Working Group on Conditions are two working groups, have been established and are responsible, respectively, to inspect written communications and to bring consistent patterns of violations of human rights and fundamental freedoms to HRC attention. The Chairperson of the Liaison Working Group and the Secretariat conducted a preliminary assessment of complaints to receive and forward complaints that meet the conditions of admission to the States concerned to obtain their views on alleged violations of the rules contained therein. Then the Working Group of Communications, made up of five experts appointed by the Advisory Committee, assesses the acceptability and validity of the communication. It may keep the case is being investigated, and the State concerned is being asked to submit additional information in a timely manner, dismiss the case or recommend a case to the Case Working Group. The Report of the Working Group is communicated to the Situation Working Group, made up of five HRC members working in their respective areas. The Working Group of Situations is requested to report to the HRC consistent patterns of reliable violations of human rights and fundamental freedoms and make recommendations on what is happening to take actions, based on the information and recommendations provided by the Working Group for Communication. The Working Group of Situations may decide to retain the case under review, submit it to the Human Rights Commission for additional assessment, or reject it. The HRC may decide to undertake the following based on the findings and recommendations:

• refrain from considering a situation where further consideration or action is not authorized;

• keep an eye on the situation and ask the State in question for more information as fast as possible;

• Keep the situation under review and designate an independent, highly skilled specialist to monitor and report to the HRC (this research is based on the situation in Liberia under Commission 1503);

• refrain from reviewing the matter under a confidential appeal procedure for public comment (as was the case in two cases, in relation to Kyrgyzstan in 2006, following its review under procedure 1503, and Eritrea in 2012);

• advises that the Office of the High Commissioner for Human Rights (OHCHR) provide technical assistance, capacity building, or consultative services to the government in question (as was the case, for example, in the case of the Democratic Republic of the Congo and Iraq in 2011 and 2012,respectively).

**2.2. SECURITY COUNCIL**

Under the framework of the UN Charter, the Security Council has primary responsibility for maintaining international peace and security. It has a total of 15 members (5 permanent members and 10 non-permanent members). Each member is entitled to one vote. All Member States are accountable for adhering to the Council's decisions under the Charter. The Security Council takes the lead in arranging for the effective solution to the threat of peace. It calls on the parties to the dispute to resolve the dispute amicably and recommends redress or remedial measures. In order to maintain or restore international peace and security, the Security Council may impose sanctions or authorize the use of force in some instances. The Security Council has a revolving and changing presidency every month. The Security Council's functions and powers are as follows, according to the United Nations Charter:

• maintain international peace and security in accordance with the principles and objectives of the United Nations;

• Investigating any conflict or situation that may cause conflict in other countries,

• Recommending mechanisms for resolving such disputes or terms of resolution;

• Planning for the establishment of an arms control program;

• Assessing whether or not a threat to peace emerges or action and recommending what action should be taken;

• Calling on Members to use economic sanctions and other measures that do not involve the use of force to prevent or stop violence;

• Taking action against the attacker;

• Recommending the admission of new Members;

• Implementing the functions of the United Nations Trusteeship in "strategic areas";

• To make recommendations to the General Assembly for the appointment of the Secretary-General and, together with the Executive, to appoint Judges of the International Court of Justice.

**2.3. THE COMMISSION FOR STATUS OF WOMEN**

Under the authority of the Economic and Social Council, CSW was established in 1946. (Hereafter called ECOSOC). The purpose of the Commission is to promote the implementation of the principle that men and women shall have equal rights.[[19]](#endnote-19) ECOSOC mandates the Commission to have two core functions: “to develop suggestions and reports on the advancement of women's rights for the Economic and Social Council in the political, economic, social and educational spheres”, and “to make recommendations to Council on urgent emergencies. attention in the field of women's rights [[20]](#endnote-20)”. CSW has the authority to accept communications sent to it by individuals or organizations in order to identify consistent patterns of discriminatory practices. Communication can only be used as a source of information as CSW does not have the authority to take action[[21]](#endnote-21). The CSW mandate was expanded in 1987 to include activities such as promoting equality, development and peace, overseeing the implementation of agreed measures for women's empowerment, and reviewing and measuring national, regional, regional progress industry and global levels[[22]](#endnote-22). CSW's current work: closely related to the Beijing Declaration and Platform for Action.

In its 1947 policy statement CSW declared that "Freedom and equality are essential to human development", and that "as a woman being human as men, she has the right to share these values ​​with her"[[23]](#endnote-23).

Like the UDHR, both the ICCPR and the ICESCR incorporate provisions that clarify that rights there apply equally to men and women. This emphasis was added after CSW introduced the CHR proposed amendments to the Charter documents[[24]](#endnote-24).

**CONCLUSION FOR CHAPTER 2**

Since 1985, the concept of "women's rights" has grown and prevailed. The breakthrough came at the 1993 World Human Rights Conference in Vienna, where women's rights were finally recognized as human rights - not inferior, not separately.

The Fourth International Women's Conference in 1995 endorsed the Beijing Platform for Action, which includes "the eradication of all kinds of violence against women.” as the ultimate goal, while the 1979 CEDAW does not even mention violence against women! And while there is still no Convention to End All Forms of Violence against Women, the UN now recognizes violence against women as a matter of security, human rights and war crimes, as outlined in Security Council Resolution 1325 on Women, Peace and Security. , and support for Secretary-General Ban Ki-moon's efforts to end sexual violence.

The long-term vision helps not only to understand the different stages of the women's struggle, but also to appreciate the history of what has been achieved. The oppression of women is not "natural" but historically and as a result has been thousands of years old, Only about 200 years ago, in 1793, when the French government sang Olympe de Gouges, which during the French Revolution composed a book entitled “Declaration on the Rights of Women and Citizenship.” Building on the achievement of women's rights within the United Nations, the UN since 1945 has become an International Institution and "probably the goddess" of women's rights, not as a given, but as a result of hard work and cooperation among women especially those who represented their rights, governments and / or international organizations for women, and women working within the UN system. In that process, but especially since 1975, the international women's movement has become a global women's organization and is under the influence of senior women from the North. women as actors, with a consistent focus on their empowerment.

In relation to the steady growth and greater diversity of women's movement, another important development is that the definition of "women's rights" has expanded significantly since the 1940s, from the official definition of Western countries, to the recognition of social-economic rights as equally important in political rights, in the inclusion of rights. “Family planning ", that is, the woman's right to control what happens in her body and, more recently, the right to live without violence. The notion that women's rights are human rights has been widely accepted since 1993, and the link between women's rights and development (today, "sustainable development") and peace has become clear. But while It is also important to understand the development that has been done, as well as the importance to know the magnitude of the work to come. Despite the almost universal recognition of women's rights at the official level, the "deep structure" of the second status of women and oppression continues, whether in countries leading to the UN's indicator of gender equality or those below. There is no country in the world where women enjoy an equal status with men. Furthermore, the divide between rich and poor countries has expanded, and the persistence of numerous religious superstitions in many countries poses a threat to women's rights.[[25]](#endnote-25)

Finally, despite their rising literacy rates, women still make up about two thirds of the world's illiterate population. They continue to be two-thirds of the world's poor (living on $ 1 a day or less), make up two-thirds of the world's labor, and produce 50 percent of the food, while earning only 10 percent of the income and owning one percent. These figures are all astonishing as they were first published a few decades ago, when they were almost identical. In addition, violence against women is a global phenomenon. The United Nations Development Fund for Women reports that “for women aged 15 to 44, violence is a major cause of death and disability”.

Therefore, whatever may be achieved is a work in progress. For many women, their human rights remain on paper only. "The women of the world no longer want names from their governments - they want action" and that the current departure from the UN and "directing to the international justice system as the focus of women's attention around the world" will help open the question.

**CHAPTER 3**

**THE HUMAN RIGHTS FRAMEWORK IN PRACTICE**

**3.1 WOMEN’S RIGHTS IN PUBLIC AND POLITICAL LIFE**

Women have historically been excluded from political life and decision-making processes. Women's public involvement initiatives and the political arena stretch back to the nineteenth and twentieth centuries, and they are still going strong today.

During World War I, only a few democratic provinces acknowledged women's voting rights. When the United Nations was founded in 1945, more than half of the 51 countries that ratified the Charter did not allow women to vote or only gave them limited voting rights.[[26]](#endnote-26). Everyone has the right to participate in the government of his country, either personally or through freely chosen representatives, according to the Universal Declaration of Human Rights. The Commission on the Status of Women's initial responsibility was to draft the Women's Political Rights Convention in 1952.[[27]](#endnote-27) The Convention on the Elimination of All Types of Discrimination against Women builds on previous agreements and its 7th article deals with women's access to decision-making in political and social life. Article 7 guarantees the right of women to vote in all elections and public opinion polls and their eligibility for election to all public bodies, the right to participate in government policy making and implementation, to hold public office and to perform public functions at all levels of government, and the right to participate in non-governmental organizations (NGOs) or organizations that affect the country's social and political life. Article 8 requires State institutions to “take all reasonable steps to ensure that women, equally and without discrimination, have the opportunity to represent their Governments at international levels and to take part in international organizations' activity”.

Despite the fact that women's right to vote is guaranteed in practically every country, it can be in vain if certain conditions make voting impossible or impossible for both men and women, such as the absence of voting, Free and fair elections, violations of free speech, or a lack of security, which often unjustly affect women. Women in some nations are unable to register to vote because they lack a birth certificate or IDs that are only granted to men. Other hurdles, such as misconceptions about men and women's roles in society, as well as a lack of access to appropriate information and resources, operate to limit women's possibilities and willingness to fully use their voting rights.[[28]](#endnote-28) Many political parties and state organs' traditional practices continue to be barriers to women's participation in public life, and women may be discouraged from running for office due to their double workload and high cost of running for and holding public office, as well as discriminatory attitudes and practices.[[29]](#endnote-29) Only a few countries have legal rights for women who have ratified the Convention on the Elimination of All Forms of Discrimination against Women, yet women are still represented at all levels of government. The Beijing Declaration and Platform for Action addresses the issue of women in power and decision-making. States are committed to adopting specific efforts to provide equal access to women and full participation in power structures and decisions under the Beijing Declaration and Platform for Action. -respond to the report's specific recommendations and encourage women to participate in decision-making and leadership.

The United Nations Millennium Development Goals, in particular the 3rd Goal for Gender Equality and the Empowerment of Women, incorporates international commitments to promoting ways that give women a voice in politics and institutions. A review of the progress achieved in the Goals shows that women are gradually gaining political power, especially as a result of special assignments and initiatives. Regional changes are still in place, however.[[30]](#endnote-30) The Committee on the Elimination of All Forms of Discrimination against Women Recommendation No. 25 (2004) stipulates that the term “special measures” may include a variety of laws, authorities, administrations and other administrative instruments, policies and procedures, such as communication or support. plans, allocation and / or redistribution of resources, specialized management, targeted employment, recruitment and promotion, numerical policies linked to fixed periods, and allocation plans. They must be adopted in order to achieve the important gender equality, required by the Convention.

Countries have adopted different types of quota programs. The most common are political party quotes, legislative values ​​and seats reserved. Political party quotes are usually voluntary, party-specific and are set to increase the number of representatives of women's parties or elected representatives, by setting the percentage of women. National enforcement policies are held by legislation, which requires all political parties to include a specified number of women on their candidate lists. Another alternative is to set aside seats in parliament for women with a national policy, which guarantees a certain number of women legislators.[[31]](#endnote-31) Since the Beijing World Summit, States have been embracing prices to increase women's participation, fight discrimination and accelerate the slowdown in the growing number of women in politics. These initiatives are aimed at removing some of the impediments to women's equal access to politics, particularly institutional and systemic barriers. These measures are frequently insufficient to maintain equality. In addition, they need to adapt to local circumstances. Women’s ratings are often criticized for a variety of reasons, e.g., when women are elected by political parties or leaders to fulfill political interests that may be contrary to guaranteeing equality or because quotes emphasize little legitimacy[[32]](#endnote-32). Women’s values ​​need to be integrated with other approaches to create an environment that allows women to participate. In particular, the positive impact of increasing women's representation in society and political health will not be felt if beneficiary women are not empowered to participate fully in discussions and influence decision-making.[[33]](#endnote-33)

Participation in public life, however, is much broader than elections or elections on behalf of the community. According to the Committee on the Elimination of All Forms of Discrimination against Women, Article 7 applies to all aspects of public and political life and is thus not restricted to those specifically named in the article. The Committee claims that, the political and social life of the country is broad, and may refer to the exercise of political power, especially the legislative, judicial, administrative and policy at the international, national, regional, and local levels, and administrative powers, all areas of public administration, and the formation and execution of law. Participation in civil society, community boards, local councils, and political parties, trade unions, professional or industrial organizations are all examples of women's right to participate, women's organizations, community-based organizations and other public health and political organizations. The Committee General Recommendation No. 23 (1997) on women in politics and society emphasizes states' responsibility to appoint women to senior leadership positions at all levels of government (local, national, international), in all spheres of government, and the judiciary, as well as to encourage political parties to do the same. Countries must ensure that women have access to information and take steps to eliminate hurdles such as illiteracy, language barriers, poverty, and restrictions on their freedom of movement. If post-conflict societies are to be reconstructed on the basis of respect for human rights and democratic norms, women's engagement in peace building and peace building processes is critical. United Nations Security Council Resolution 1325 (2000) and its subsequent resolutions and reports on women, peace and security, recognize the significant contribution of women to peace and call for increased women's representation at all levels of decision-making, in all ways preventing, managing and resolving conflicts.

**Women human rights defenders**

The Declaration of the Rights and Responsibilities of Each Member, Groups, and Civil Society for the Promotion and Protection of the Universal Declaration of Human Rights and Fundamental Freedoms, also known as the Declaration of Human Rights, acknowledges the critical role of human rights defenders, including women, and defines the rights of all human rights defenders as well as the obligations of States Women human rights defenders and those dealing with women's rights or gender problems have unique hurdles, according to the Special Rapporteur on the Status of Human Rights Defenders (A / HRC / 16/44). Women’s human rights defenders face the same hazards as other human rights defenders, but they are also targeted or subjected to gender-based threats and abuse because they are women. The reasons for this are many and complex and they depend on the specific context in which each woman works. In general, the work of women’s rights defenders is seen as a challenge to traditional ideas of the role of family and gender in society, which can lead to public and official hatred. They are therefore discriminated against and marginalized by community leaders, religious groups, families and communities who view them as a threatening religion, fame or tradition for their work.

In addition, what they are trying to achieve (for example, the realization of women's rights and any other gender-related rights) also makes them victims of attack. Their families are also victims of threats and violence, aimed at discouraging women's rights defenders from continuing their work. Women human rights defenders, according to the Special Rapporteur on the Situation of Human Rights Defenders, are more vulnerable to violence and other violations, discrimination, marginalization, and exclusion than their male counterparts. As a result, it's critical to beef up security measures as well as other domestic and international solutions to their specific concerns. The Special Repporteur also suggested that States should ensure that programs to protect human rights defenders are gender sensitive and handle the specific needs of women human rights activists. This should include a speedy investigation into threats, threats, violence and other abuses of women's rights defenders whether perpetrated by State or non-State actors. In reality, though, women's rights activists often lack effective protection.

While the State has a major responsibility to protect defenders in the face of threats or attacks, the international community and the United Nations have a responsibility to support and protect them, keeping in mind the basic principles of confidentiality. No damage and informed human consent.

**The right to a nationality**

Women's ability to seek nationality and rights is inextricably tied to their ability to engage in public and political life. The Convention on the Elimination of All Forms of Discrimination Against Women calls on countries to "give women equal rights to acquire, change, or retain citizenship" and to "ensure that no woman's nationality is automatically changed, her land taken away, or her husband forced to become a citizen" if she marries a foreigner or changes her nationality during her marriage.”(article 9), The right to vote, to stand for public office, to achieve social benefits and to choose a place to live.[[34]](#endnote-34) They are public. The Committee was also concerned about the high number of bookings in groups 9, 15, and 16, and called on states to revoke their reservations and establish and enforce legislation consistent with these provisions.

**3.2 SEXUAL AND REPRODUCTIVE HEALTH AND RIGHTS**

Reproductive health is described in the International Program of Social Development and Development "as a state of physical, mental and social well-being and not just the absence of disease or infirmity, in all matters pertaining to the reproductive system and its functions and processes." Sexual health was defined as a state of physical, emotional, mental, and sexual orientation, not just sexual orientation, in 2004 by Special Reporter with the universal right to enjoy a high quality of attainable physical and mental health (E /CN.4 / 2004/49). This definition is based on the Action Plan's acknowledgment that the goal of sexual health is "to improve health and personal relationships, not merely reproduction and sexually transmitted diseases counseling and care." Many people's rights are linked to women's sexual and reproductive health, including the right to life, the right to be free from torture, the right to health, the right to privacy, the right to education, and the right to be free from discrimination. The Committee on Economic, Social, and Cultural Rights, as well as the Committee on the Elimination of Discrimination against Women, have both said that a woman's right to health includes sexual and reproductive health. This means that states have a responsibility to respect, preserve, and fulfill women's reproductive and sexual health rights. Women have the right to obtain reproductive health care, goods, and services that are (a) available in sufficient numbers; (b) physically and economically accessible; (c) accessible without discrimination; and (d) of good quality, according to the Special Secretary for Health Rights (A / 61/338).

Despite these commitments, women's sexual and reproductive rights are routinely violated. This can take many forms, including restricting access to services that are solely available to women, delivering poor services, being subject to third-party approval, and executing procedures without a woman's consent, such as forced abortions, forced virginity testing, and forced abortion. When women are subjected to genital mutilation or early marriage, their sexual and reproductive rights are jeopardized. Women's sexual and reproductive rights violations are frequently rooted in social norms surrounding women's sexuality. Women are frequently regarded in terms of their reproductive power due to patriarchal attitudes about women's position within the family. Marrying and having children at a young age, or having many pregnancies, which are typically due to efforts to create males due to the popularity of sons, have a negative impact on women's health and can be fatal. Women are frequently accused of being childless, and as a result, they are stigmatized and exposed to a slew of human rights violations. The Convention on the Elimination of All Forms of Discrimination against Women guarantees women equal rights in “free and responsible decision-making and separation of their children and access to information, education and empowerment” (The Convention on the Elimination of All Forms of Discrimination against) Women's) Episode 16). It also states that "access to specialized educational information to assist ensure family health and well-being, including information and advice on family planning" is part of a woman's right to education (art. 10). Furthermore, sexual and reproductive health is regarded as an integral part of the highest achievable right to physical and mental well-being. Women's roles in childbirth can have an impact on their ability to exercise other rights, such as the right to education and work. The Beijing Platform for Action states that “women's rights include the right to govern and freely decide for themselves and for their sexual orientation, including sexual and reproductive health, without "Coercion, discrimination, and violence" which are three words that come to mind. In its general recommendation No.24 (1999) on women and health, the Committee for the Elimination of Discrimination against Women suggests that states prioritize "preventing unwanted pregnancies through family planning and sex education." The Committee on Economic, Social, and Cultural Rights noted in its general comment No. 14 (2000) on the right to a higher level of health that the provision of maternal health services was confined to a fundamental requirement that could not be deferred. In any case, State authorities have an urgent obligation to take thoughtful, reasonable, and targeted steps to protect women's health during pregnancy and childbirth.

**Access to information about sexual and reproductive health**

Women's right to choice and responsibility for the number and separation of their children, as well as access to information, education, and the exercise of this right, necessitates consideration of current contraceptive technologies and comprehensive sex education. Women's lack of contraception information has a direct impact on their rights to choose the number and spacing of their children, as well as their right to life. In its general recommendation No. 21 (1994), the Committee on the Elimination of Discrimination Against Women stated that in order to make informed decisions about safe and reliable contraceptive measures, women should be informed about contraceptive measures and how to use them, as well as have guaranteed access to education, sex, and family planning services, as provided for in Article 10 of the Conference.” Such information must be scientifically accurate and impartial. Although doctors have a right to conscientious objection to military service, the protection of that right should not infringe on the right of women to obtain accurate and accurate information about contraception. For example, the European Court of Human Rights (ECHR) states pharmacists are not entitled to decline to sell contraception because of their religious views.[[35]](#endnote-35) In its general statement No. 4 (2003) on health and development, the Committee on the Rights of the Child, states that “organs of state should ensure that [young people] have access to relevant information [on sexual and reproductive health issues, including family planning, contraception, and. regardless of their marital status or whether their parents or guardians approve] to prevent sexually transmitted illnesses."

**Access to services and medicines**

Ensuring that women have access to services that only women require is a critical component of combating gender discrimination. It is critical to ensure women's sexual and reproductive rights through assuring the availability, accessibility, quality, and acceptance of these services and medicines. In its standard recommendation No. 24 (1999), the Committee on the Elimination of All Forms of Discrimination against Women stated that it is "discriminatory that the State party refuses to provide for the legal provision of certain reproductive health services for women," emphasizing that "laws that make medical procedures acrimony required only by women and punish women who follow those practices" are barriers to women's access to health care. In 2010, it is projected that 287,000 women died while giving birth. In addition, an estimated ten million women suffer from pregnancy-related accidents, illnesses, diseases, or long-term incapacity each year. Some of the proven strategies to minimize maternal mortality and morbidity include ensuring universal access to skilled birthing visits, emergency obstetric care, postpartum care, unsafe abortion prevention, and expanding birth control alternatives. The victim in the case of Alyne da Silva Pimentel Teixeira (dead) v. Brazil36 was a woman named Alyne da Silva Pimentel Teixeira.,[[36]](#endnote-36) the victim, an African woman, died after childbirth and serious complications after childbirth. Failure to diagnose the victim's problems, delays in treating those complications, delays in referral to a specialized hospital and failure to transfer his or her records between health facilities, followed by a lack of adequate response and this as a result, the Convention was found to be violated.

The council found that the State has violated its obligations under Article 12 (concerning access to health), article 2 (c) (regarding access to justice) and section 2 (e) (concerning the obligation of the State to be responsible for directing the activities of service providers private health), in line with Article 1, of the Convention. The Council emphasized its decision that the State has a direct responsibility for the actions of its private medical institutions in rendering its medical services, and that it maintains the responsibility to regulate and monitor private health care facilities in accordance with its appropriate obligations. The State should also ensure that its maternal health services match the individual requirements of women, that maternal health policies are consistently implemented, and that adequate remedies and effective protection are provided without discrimination, according to the Committee., The necessity for safe and affordable abortions is part of ensuring access to safe and affordable sexual and reproductive health care. Although contemporary contraception and family planning methods lower the likelihood of unintended pregnancy, there are no 100 percent effective birth control methods. Human rights work suggests that states should ensure access to abortion at least when it is dangerous to the health or well-being of a woman, or when pregnancy is the result of rape or incest.[[37]](#endnote-37) In its standard recommendation No. 24 (1999), "If possible, the law banning abortion can be modified to abolish the penalties placed on women who have abortions," the Committee on the Elimination of All Forms of Discrimination Against Women stated. The Beijing Platform for Action also emphasized the abolition of abortion services, recommending that states reexamine laws that penalize women who have undergone illegal abortions.[[38]](#endnote-38)

In all cases, access to post-abortion health services should be accessible, secure and affordable. Unsafe abortion is the leading cause of maternal mortality and disease, and ensuring that abortion services are accessible and thus safe is also an important part of the State's commitment to ensure that women are allowed to survive pregnancy. With regard to the availability of medicines, has WHO included modern contraceptive methods, including emergency contraception, in its list of Essential Medicinal Models? Recognizing that access to sexual and reproductive health care can sometimes be limited to political, cultural or legal reasons instead of medical reasons, the Special Rapporteur on Health Rights has called on States to “ensure access to essential health care .. Sexual and reproductive health ... based on needs health and evidence and is not limited to non-medical considerations”(A / HRC / 23/42, paragraph 73

Ensuring women's sexual and reproductive rights means that women's ability to make decisions about their bodies must be respected. The requirements for an external company's permission to access certain services have been consistently criticized by human rights practices as opposed to women's rights.[[39]](#endnote-39)

Compulsory abortions or abortions, according to the Committee on the Elimination of All Forms of Discrimination against Women's general recommendation no. 19 (1992), harm women's bodily and mental health and violate their right to choose the number and classification of their children. By A.S. v. In Hungary,[[40]](#endnote-40) a doctor at a public hospital performed a compulsory sterilization procedure without providing sufficient information for the patient's consent. The Committee found violations of the applicant's right to education in education, in particular with regard to family planning information, equal access to health care and family equality the right to determine the number, space and time of children.

When it comes to spontaneous medical treatments involving their sexual and reproductive health, people with disabilities are at danger. The right of people with disabilities to access and care for their families, as well as to maintain their equality, is emphasized in Article 23 of the Convention on the Rights of Persons with Disabilities. Article 12 guarantees persons with impairments have the right to be acknowledged everywhere as law-abiding citizens and to receive the same legal rights as others, including access to the support they may need to exercise their legal powers. Article 25 makes it clear that free and informed consent should be the basis for the provision of health care to people with disabilities In one of its first conclusions on a state party41, the right to a safe and healthy pregnancy, the Committee on the Rights of Persons with Disabilities urged "the completion of surgery and treatment without the complete and informed agreement of the patient."

In underdeveloped nations, complications during pregnancy and childbirth are the primary cause of mortality and disability among women of reproductive age. For men aged 15 to 44, there is no single cause of death or disability, which is similar to the maternal mortality rate.[[41]](#endnote-41). The World Health Organization describes maternal death as the death of a woman during pregnancy or within 42 days of pregnancy, regardless of the length and location of the pregnancy, for any reason related to or aggravated by your pregnancy or management, but not. for accident or accident reasons. Maternal illness is a condition outside of normal pregnancy, labor and delivery that affects a woman's health during those times.[[42]](#endnote-42)

International human rights law requires countries to respect, defend, and fulfill human rights related to maternal health, pregnancy, and childbirth. Many of the Kingdom's many human rights duties are fulfilled when women die in delivery due to unforeseen circumstances. For example, governments must guarantee that existing resources are utilized and that required actions are made to assure access to, acceptance of, and quality of sexual and reproductive health care, including affordability, in order to defend women's right to life. Preventable maternal deaths may also involve violations of the highest attainable right to physical and mental health, including sexual and reproductive health, Equality and non-discrimination, the access to information and education, and the ability to reap the advantages of scientific progress are all rights that must be respected.

Addressing preventable maternal mortality and morbidity with a view to equality and non-discrimination, reviewing State obligations under human rights law and gaps in protection, participation, and accountability are all part of implementing a human rights-based approach to maternal mortality and morbidity. The human rights-based approach makes it simpler to reach out to specific groups of women who do not have access to basic health treatments.

**3.3 VIOLENCE AGAINST WOMEN AND THEIR ACCESS TO JUSTICE**

The issue of violence against women has recently taken its place in the international human rights system. Violence against women is perpetrated in many ways, and is now considered one of the biggest obstacles to women's rights to participate fully in society. This represents a major change in perspective since 1979, when CEDAW was adopted. CEDAW does not have a specific provision for gender-based violence, but CSW and the CEDAW Committee have made it clear that this issue is critical to the provisions of the Convention.

The Nairobi Forward-Locking Strategies for the Development of Women from the World Conference of 1985 saw violence against women as an obstacle to achieving equality, development and peace, and commended the provinces for fighting it, and that full implementation of CEDAW would lead to ending violence against women.[[43]](#endnote-43)

The Committee proposed in 1989 that states include information on violence and how to deal with it in their annual reports. This was confirmed in 1992 by General Recommendation No.19, which stated that violence against women is a form of sexual discrimination under CEDAW, and that the full implementation of the Convention requires that states take concrete steps to eliminate all forms of violence against women.[[44]](#endnote-44) There were no objections to General Recommendation No.19.

The declaration on the Elimination of Violence against Women which was signed in 1993, (later called DEVAW) was adopted by the General Assembly. The Declaration affirms that violence against women violates and undermines human rights and fundamental freedoms enjoyed by women, and we are concerned about the long-term failure to protect those rights.[[45]](#endnote-45)

The issue of violence against women is one of the key areas of concern for the Beijing Declaration and Platform for Action.[[46]](#endnote-46)

**Special Rapporteur on violence against women**

Concerns about the ongoing violence against women led to the appointment of a Special Advocate in 1994. The Secretary-General's intentions are to seek information on violence against women, among other things, in government, treaties and non-governmental organizations, and recommend measures at regional, national and international levels on how to end violence and its causes.[[47]](#endnote-47)

**Defining violence against women**

"Any act of sexual violence that resulted in, or may cause, physical, sexual, or psychological injury or suffering of women, including threats of such actions, coercion or inhuman or degrading treatment, restriction of liberty, climate change in public or private life," according to a DEVAW 1 article. 49 The CEDAW Committee defines gender-based violence as "violence against a woman because she is a woman or that negatively affects women”. Violence against women can be divided into three categories. First, the violence perpetrated by the state, which includes violence against women prisoners and violence against women in conflict situations. Second, social violence, including rape, sexual assault and harassment, is the trafficking of women, prostitution, pornography and exploitation of workers. The third stage is domestic violence, which includes incest, child murder, culture, etc.

Gender-based violence may include violations of certain CEDAW terms, even if those terms do not address violence.[[48]](#endnote-48)

**Domestic violence**

Domestic abuse is described by the CEDAW Committee as "one of the most dangerous types of violence against women.[[49]](#endnote-49)

**Scope of domestic violence**

There are many types of domestic violence, and the victims range from children to the elderly, servants and wives, the latter being more common. According to Article 2 of DEVAW, domestic violence should be known to include, but is not only restricted to, the “physical, sexual and psychological violence that occurs in the family, including beatings, sexual abuse of women in the home, lobola-related violence, marriage. Rape, genital mutilation… ”

Many traditional practices also fall into the trap of domestic violence, for example special abortions, malnutrition, child marriage, widow burning, virginity tests, and as mentioned above, female genital mutilation and dowry-related violence.[[50]](#endnote-50)

**Causes of domestic violence**

DEVAW's presentation lays the groundwork for violence against women in "historically unequal power relations between men and women".

Among the other issues discussed are inequalities in the general public and in the family, which embrace male domination and women's subjection. Another factor is economic and social factors, where research indicates that unemployment and low wages are a factor in domestic violence, which in turn often contributes to stress and frustration. Yet violence exists in rich circles.

Discussions also include an increase in alcohol and drug use by the perpetrator, violence as learned behavior, where child abuse leads to violent behavior as an adult. Certain aspects of culture may also exacerbate violence against women.[[51]](#endnote-51)

In the past the State and the law intervened in the issue of domestic violence only when violence has become rampant. In recent times, however, the legal system has changed, and states have reached home privacy policy. Countries are now increasingly being prosecuted for domestic crimes. Countries are required to prevent and punish violent crime that occurs in the private sector.

Sadly, the permissive attitude of the past still exists. Crime is rarely recognized, and many countries do not recognize it in their laws. Government inaction is perhaps a major cause of violence against women.[[52]](#endnote-52)

**Consequences and remedies**

With so few statistics of violence against women it is difficult to quantify the consequences. However, it is clear that fear is an immediate consequence, which will lead to limited movement and independence.

Serious health problems are another result. In addition to physical injuries, abused women suffer from depression and personality disorders.

Violence prevents women from fully participating in family and community life, and prevents both society and women from reaching their full potential.[[53]](#endnote-53)

The CEDAW Committee has made recommendations to international organizations on the elimination of violence against women. For example, governments should enforce laws that provide adequate protection for all women, encourage research on the subject, take steps to ensure that the media respects women, introduce education and information programs to end discrimination, provide effective grievance procedures and remedies, and establish supportive resources. Victims also remove to protect the respect for the beating or murder of a female family member.[[54]](#endnote-54)

**CONCLUSION FOR CHAPTER 3**

Since women are part of the international community and have the right to equal access to human rights, this book is not intended to cover every human rights issue that affects women's lives. The focus is on: social and political life, health and sexual and reproductive rights, the right to a decent living standard, violence against women, migration, and conflict are all issues that need to be addressed as well as conflict and disaster, and access to justice. In all of this, education and family status are very important and are talked about everywhere. The International body on Economic, Social, and Cultural Rights (art. 13), the Convention on the Rights of the Child (art. 28), the Convention on the Elimination of All Forms of Discrimination against Women (art. 10) and the Convention on the Rights of Persons with Disabilities (art. 10) all recognize the right to education.[[55]](#endnote-55)(art. 24). Human rights law compels governments to address impediments that girls and women encounter in obtaining school, such as early marriage, pregnancy, child labor, and violence, in addition to advocating for non-discrimination in the enjoyment of the right to education and free universal primary education. The needs of girls who suffer from many forms of discrimination - eg, the disabled, those from poor or rural areas and being marginalized - should also be considered. Ensuring education equity requires financial resources as well as ongoing awareness of the advantage of girls' education. Various human rights agreements, including as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Convention on the Elimination of All Forms of Discrimination, acknowledge the right to equality between men and women in marriage and family life..[[56]](#endnote-56), the National Convention for Married Women, and the Convention on the Deed of Marriage, Minimum Marriage and Registration of Marriages. Women, however, are lagging behind men in the enjoyment of private rights. In many countries, women are forced into marriage, do not enjoy the same rights as caregivers and adoptions, are not permitted to transfer their nationality to children and their husbands, and do not have equal legal authority. The Convention to Eliminate of All Forms of Discrimination against Women[[57]](#endnote-57) says state entities must take "all reasonable steps to eliminate discrimination against women in all aspects connected to marriage and family relationships," according to the law. (art. 16). These include guaranteeing the same right to marriage with full and free consent and free choice of spouse, equal rights and obligations during marriage and its dissolution and respect for their children, and equal as husband and wife, you have the freedom to pick your own surname, employment, and occupation. This section covers property rights as well as sexual and reproductive health, which will be discussed individually in this chapter. The Committee on the Elimination of Discrimination Against Women, in its General Recommendation No. 21 (1994) on equality in marriage and family relationships, urged states to reject any concepts of gender equality in the private sector that are guaranteed by law, religion, or tradition. law, religion or culture. States should outlaw polygamous marriages, according to the Committee, since they violate a woman's right to equality with men and can have substantial emotional and financial consequences for her and her family.

**CONCLUSIONS**

The 2010 creation of the United Nations Gender Equality and Women's Development represents an extraordinary organizational integration rather than a general one. It had a promising start under strong leadership but faced serious challenges with growing resistance to gender equality. Support for women's rights has a long and proven history at the UN[[58]](#endnote-58). The long-term need for a women's organization has been to create a single UN institution that can lead change. The resolution of the 2010 General Assembly 64/289 created the women of the UN and was an important symbolic bridge between speech and action: it was an acceptable integration that has probably never been seen before by the UN. The four components were the United Nations Women's Fund (UNIFEM); Institute for Training and Research on Women (INSTRAW); Women Development Unit (DAW); and the Office of Special Adviser for Women (OSAGI).

The United Nations Convention on the Elimination of All Forms of Discrimination against Women is one of the most important international human rights instruments addressing women's rights (CEDAW). Discrimination on the basis of sex is prohibited under this Convention. Discrimination against women is defined as

*"Any distinction, exclusion, or restriction based on sex that has the effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by women, irrespective of their marital status, of human rights and fundamental freedoms in the political, social, cultural, civil, or any other field on the basis of equality of men and women.”*[[59]](#endnote-59)

Countries that are a party to the Convention must take all necessary steps to secure that women enjoy equality with men. [[60]](#endnote-60)This means that organs of state must adopt the necessary legislation to combat discrimination and promote women's rights. However, it should be noted that the purpose of women's equality does not say that they can be denied protection where this is required - for example, in relation to childbirth.

CEDAW reviews provincial alliances with the Convention. Organs of State must submit periodic reports on any steps taken to implement the Agreement, and the CEDAW Committee will monitor compliance. However, the method of use is considered weak, and depends largely on the ability to influence behavior. The implementation was weakened by a number of bookings and exceptions to the original text discussed by the provinces.

Unlike other women's issues - such as equality (voting right), equality, or discrimination - violence against women has recently been seen as particularly deserving the law of international human rights. CEDAW was established in 1979 and went into effect in 1981. It does not refer to violence, rape, abuse or beatings. The CEDAW Committee published General Recommendation 19 in 1992, urging that violence against women  be reported by the States Parties. An individual grievance procedure has been added to CEDAW, where individuals, after completing home remedies, are able to lodge a complaint against the State with respect to the allocations of the Convention.

The United Nations General Assembly approved a Declaration on the Elimination of Violence against Women in Vienna in 1993. The Declaration was significant because it elevated the subject of violence against women to a global level. not just a matter of cultural discrimination[[61]](#endnote-61). The Declaration therefore covered a wide range of issues such as female genital mutilation (FGM), female genital mutilation (FGM), rape and torture, domestic violence and sexual exploitation of women, all of which had long been considered, in some places, at least as acceptable or even illegal. The inclusion of such practices within the framework of the United Nations which issued an important pronouncement on international law, and placed individual rights in the body above the claims of cultural rights. It also noted that the secular or cultural support of such practices ignores the wishes of the women themselves, and many words, even in so-called similar cultures, contradict such practices.

The other side of the Declaration is that we recognize the need to redraw the seemingly 'natural' boundaries between society and the private sector - a challenge that has long been promoted by women's rights groups. The UN Declaration prohibits not only violence against women, but also the secretive violence, including '... marital violence or violence-related violence'. The Declaration also prohibits cultural violence against women.[[62]](#endnote-62)

Although not a mandatory document, the Declaration has made a significant contribution to breaking down the wall of peace, and recognizing violence against women as a violation of human rights around the world.

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