

THE ROLE OF UNITED NATION IN PROTECTION AND PROMOTION OF WOMEN'S RIGHTS

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Introduction

Today one of the indicators of human development is the number of women's present and how they act in the various area that seriously impact the other measures in this field; The women also carry out the role of mother and wife and can play an effective role in solving social problems .The moral crises and family deadlocks, irregular population growth, the prevalence of many incurable diseases and other issues around the world, indicate that the human society in the present era has not considered the role of women in human development as it ought to do. The lack of opportunities and cultural attitudes corroborate this notion that the root and reason of many conflicts and abnormalities of present century need to be analysed from the view point of women.

one of the challenges women face, relates to behaviour, social and cultural patterns as well as customs and traditions, practically deprive them from a lot of points of interest and prevent them from their real participation in public life .Consequently they contribute to discrimination in real life. It requires adopting specific measures and taking steps to combat with this type of discrimination and attempt to eliminate and eradicate the mindset in favour of inequality. The human right due to its nature and essence is free from the constraints of time and place, hence on one hand it has been the cause of the emergence of systems which were effective in liberating human being from dogmatic beliefs and pushing him towards his real place On the other hand, presently with the changes that have been taken place in it, has caused some transformations in the classical principles of "sovereignty" .Today human right principle forces countries to be responsible in the way they deal with their citizens. The large number and volume of human rights' documents, the reduce universality of rules and its progress towards becoming a rational authority with responsibility and commitment. This is one of the most important achievements of the international community that their efforts to ensure respect for the human dignity and to limit the absolute sovereignty of governments, in the field of human rights has been recognized.

Indeed, being in the position of peace keeper and protecting the rights of human beings, the term "universal and effective observance of human rights", requires that the UN can break the barriers that arise due to national sovereignty of countries, and step in to every territory and watch and protect the violation of human rights in different countries. The concept of absolute sovereignty and independence in unilateral actions and activities of national units are influenced by international evolutions and proliferation treaties that observe human rights, by the establishment of institutions and legal systems, has been exposed to some transformation and a process is created to increase the importance of human rights .The governments are held responsible to the international community for keep of human rights.

Therefore, the status of women in today's world is still under debate and mired in ambiguity .This has led to further anxiety and concern. Though much progress that has been made yet, much more work remains to be done. While women in some societies have achieved significant progress, however, almost everywhere secondary priority is granted to women's issue. Women in covert and overt ways face discrimination and pushed the margins of society. They do not shared equally in the fruits of production and constitute 70% of the poor people of the world.

2-overview of the various international instruments for the protection of women s rights

With respect to the protection of the rights of the women, several instruments have been executed. These instruments have a binding effect on the signatory and member countries. Some of the essential instruments are as follows-

- **The United Nations Charter in 1945**

In this context, regional and international documents and treaties have been approved in which various countries are enrolled and committed to implement its provisions. Each of These international documents and conventions, have been prepared according to its objective and purpose, with regard of human rights based on the special support provided for women, children, minorities and migrant workers. With the formation of the United Nations, the legal status of women has improved and along with the other issues have been raised in the UN, it has grabbed the attention of all governments and has contributed to the rise of international instruments to ensure women's rights. The UN Charter is the first binding international instrument that prescribe the need for equality of opportunity for men and women to the Member States of the United Nations. The preamble of the Charter states: "We the People of the United Nations, determined. . .re-declaration of our faith .. to equality between men and women. . .and to achieve these goals ... have decided to realize these purposes, and collaborate."²

- **Universal Declaration of Human Rights in 1948**

On December 10, 1948, the United Nations (UN) adopted the Universal Declaration of Human Rights (UDHR) without dissent.³According to the declaration which was adopted on 10th of December 1948: "everyone is entitled to all the rights and freedoms declared in this statement, without any discrimination based on race, sex, language or religion, birth or other status". The Universal Declaration of Human Rights was incorporated into a number of general moral concepts. The mentioned declaration includes 30 articles. The first two acts express the basic principles governing all human rights. Articles 3 to 21 describe the civil and political rights and articles 22 to 27, specialize in economic, social and cultural rights. The last three articles expose the principles of human rights protection for the benefit of all. According to the prevailing view at that time with regard to Human Rights, it was natural to considerate expressed ideas in this document on human rights is westernised.

- **Conventions under the International Law:**

Despite the clear provisions of general documents on women's rights, women's life necessities have led to the adoption and preparation of numerous other documents that concern different specific aspects of women's rights, Such as women's family rights, citizenship, marriage and divorce, resorts, prohibiting women's trafficking, women's political rights, education and training of women that documents that due to the complexity of documents and avoiding the prolongation of words in this section only briefly we examine some of the convention.

- **The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW),**

This convention adopted in 1979 by the UN General Assembly, is often described as an international bill of rights for women. Consisting of a preamble and 30 articles, it defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.⁴ The Convention defines discrimination against women as "...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and

women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.”⁵By accepting the Convention, States commit themselves to undertake a series of measures to end discrimination against women in all forms, including:

- To incorporate the principle of equality of men and women in their legal system, abolish all discriminatory laws and adopt appropriate ones prohibiting discrimination against women
- To establish tribunals and other public institutions to ensure the effective protection of women against discrimination; and
- To ensure elimination of all acts of discrimination against women by persons, organizations or enterprises.
- Apart from these three World Conferences on Women that the UN organized in connection with the UN Decade for Woman between 1975 and 1985 (Mexico City, 1975, Copenhagen 1980, Nairobi 1985) provided an opportunity to bring the issue of violence against women to international attention. This was grounded in the work of women’s groups on several fronts. Some groups lobbied for recognition of rape as a war crime. Others urged the international community to mobilize against female genital surgeries.⁶

3- United Nations’ Conference on compilation and development of women’s rights

- **Teheran conference 1968**

In the late 1960s The United Nations awakened to the dangers posed to Human Rights by recent advances in Technology. The International Conference on Human Rights, held in Tehran 1968 was the first to address these issues.⁷The proclamation of Tehran stated that while recent scientific discoveries and technological advances have opened vast prospects for economic, social and cultural progress, such development may nevertheless endanger the rights and freedoms of individuals and will require continuing attention,⁸ Once the United Nations began to interest itself in this field, it went on to concern itself with a varied range of the threats from new technology.⁹

- **Vienna conference 1993**

Vienna conference had reaffirmation on civil and political, economic, social and cultural rights, including children, women, religious minorities’ rights and freedom of speech. In addition to the emphasis on human dignity and honor of women in various items of conference declaration, the second part of conference from paragraph 36 to 44 is devoted to women’s rights.

- **International Women’s Year and the First World Conference on Women**

Status of Women commission in 1972, recommended the Economic – Social council and the General Assembly to entitle the year 1975 as the “ International Woman’s Year” and in subsequent the UN General Assembly in 1972 determined the shape of a resolution that entitled the year 1975 as International Woman’s Year. By determining March 8, 1975 as the “International Women’s Day” a main and official step in this regard was taken, and three months later, on June 19, 1975 the first international women’s conference officially started its work.

- **Beijing Conference 1995**

One of the greatest achievements of the Commission on the Status of Women was the 1995 Fourth World Conference on Women, held in Beijing in 1995, which significantly advanced the global agenda for women’s human rights and gender equality¹⁰. The Commission and its Secretariat led the preparatory process. The delegates at the Conference finally agreed on a consensus document that greatly enhanced women’s rights and set new benchmarks for the advancement of women and

the achievement of gender equality. The Beijing Declaration and the Platform for Action, adopted unanimously by 189 countries, built on political agreements reached at the three previous global conferences on women and consolidated five decades of legal advances aimed at securing the equality of women with men in law and in practice.¹¹

4- Component of united nation in promotion of women s rights

- **Status of Women Commission :**

The Commission is one of the first institutions created by the economic, social, council of the UN. The Status of Women Commission has been the most important element of the UN for making decision and establishing policy about the status of women and render its proposals and reports in relation to any matters relating to women and if necessary it can take urgent international action in order to prevent or decrease the violation of women's rights.¹²

- **UN Women:**

In July 2010, the United Nations General Assembly created UN Women, the United Nations Entity for Gender Equality and the Empowerment of Women. In doing so, UN Member States took an historic step in accelerating the Organization's goals on gender equality and the empowerment of women. The creation of UN Women came about as part of the UN reform agenda, bringing together resources and mandates for greater impact. It merges and builds on the important work of four previously distinct parts of the UN system, which focused exclusively on gender equality and women's empowerment:

- Division for the Advancement of Women (DAW)
- International Research and Training Institute for the Advancement of Women (INSTRAW)
- Office of the Special Adviser on Gender Issues and Advancement of Women (OSAGI)
- United Nations Development Fund for Women (UNIFEM)¹³

The main roles of UN Women are:

- To support inter-governmental bodies, such as the Commission on the Status of Women, in their formulation of policies, global standards and norms.
- To help Member States to implement these standards, standing ready to provide suitable technical and financial support to those countries that request it, and to forge effective partnerships with civil society.
- To lead and coordinate the UN system's work on gender equality as well as promote accountability, including through regular monitoring of system-wide progress.¹⁴

Phases of Laws on Rights of the women-¹⁵

- **The first phase**, from 1945 to 1962, focused on legal equality. The Commission on the Status of Women was established during this phase.
- **The second phase**, from 1963 to 1975, broadened the scope of reform efforts to include the economic and social conditions that shaped women's lives. During this phase, the General Assembly adopted the Declaration on the Elimination of Discrimination Against Women, precursor to CEDAW.
- **The third phase**, from 1976 to 1985, marked the United Nations Decade for Women, and the growing recognition of the importance of women in development. CEDAW came into force during this phase.
- **The fourth phase**, from 1986 to 1996, reflects changes in a post Cold War world, and the adoption

of the Beijing Declaration and Platform for Action during the 1995 Fourth World Conference on Women.

- **A fifth phase**, from 1996 to the present, may be added to Boutros-Ghali's typology. This phase is notable for the adoption of gender mainstreaming, throughout the UN as well as in regional institutions, including those in the EU.

5- Women's rights and its implementation: a critical analysis

In order to overall protect the rights of the women the following elements need to be considered as soon as possible. Even though human rights exist as a birthright, to be effective they need to be supported by law and able to be used in practice. This can happen through the UN, through our governments, the police, the employers, our families, our friends and through us as individuals. Our own awareness and support for human rights is one of the most important ways to enforce them. Governments however can remain accountable by protecting the women human rights of women by implementing the following measures within their countries:-

- **Implementation of respective law and policy:-**Government can work towards eradicating discrimination against women by introducing new laws or policies, changing existing discriminatory laws and providing sanctions for discrimination where appropriate.
- **Working against the Trafficking and exploitation of prostitution:-**Government can ensure appropriate measures to suppress all forms of trafficking of women and exploitation of prostitution of women.
- **By providing proper reservations in Politics and public life:-**Government can set out women's reservation and can give the same opportunities as men.
- **Equal right to choose the Nationality:-**Government should provide that women have the same rights as men regarding the nationality of their children. It provides that neither marriage to an alien nor a change of nationality by the husband during marriage will automatically change the nationality of the wife, make her stateless or force upon her the nationality of the husband.
- **Ensuring the Education and Training:-**Government can ensure that women have the same opportunities as men in all aspects of education and training—Governments are required to ensure that all education is free from stereotypical concepts of the roles of men and women.
- **Ensuring the equal opportunity of employment:-** Government can take measures to eliminate discrimination in employment so as to ensure that women have the equal right to work, the equal right to "the same training and employment opportunities as men and the right to receive equal pay for work of equal value.
- **Measures to protect the Health of women:-**Government should take all appropriate measures to eliminate discrimination against women in the field of health care to ensure women and men have equal access to health services including family planning and provide appropriate health services in relation to pregnancy and to grant free services where necessary.
- **Economic life, sport and culture:-**Government should ensure that women have equal access to family benefits, forms of financial credit, including bank loans and mortgages, and the same rights as men to participate in recreational activities, sports and cultural life.
- **Extending the support to Women living in remote and rural areas:-**Government should take all appropriate measures to ensure that the particular needs of rural women are met and to ensure

rural women have access to health care services, training and employment opportunities, and social security schemes.

- **Equality before the law:**-Government should treat women and men equally in all , matters relating to the law, including civil matters, contractual matters, and property ownership.
- **Eliminate all Violence against women:**-Government have an obligation to take positive steps to eliminate all forms of violence against women.¹⁶

The fundamental principles of human rights that accord to each and every person the entitlement to human dignity give women a vocabulary for describing both violations and impediments to the exercise of their human rights. Finally, the idea of women's human rights enables women to define and articulate the specificity of the experiences in their lives at the same time that it provides a vocabulary for women to share the experiences of other women around the world and work collaboratively for change.¹⁷

6- conclusion

The discourse on the protection of women essentially requires the implementation of the international instruments efficiently. As the present discourse basically deals with the role of United nations towards the protection of the rights of the women, it is to be suggested that, There should be a strict binding force on the member states to implement the international instruments in their respective municipal laws. That's the reason there is a need to strengthen the implementation mechanism of the legal framework. Apart from that, the deliberate attempts to empower the women are necessary. To bring out the awareness into the women regarding their rights is also of important. There is also a need to make women legally sound by imparting to them basic legal education. Along with this, there is need to create the healthy social atmosphere for women so that their contribution towards the economy will be enhance. and their rights can also be protected. The programmes for the prevention of female feticides are need to be improved and the awareness for it should be created. Apart from this, there is a need to have a fast track judicial mechanism for the resolving the crucial concerns of women . To disregard the principles of justice and oppression of women in their families and us vital role and effect on wide areas of the world politics life and international affairs would upset the theory of discrimination of men and women. In a genuine study, the first and vital answer must relate to the attitude of people of the world to the rights of women. Therefore for that a powerful and effective mechanism is needed that could bring about deep transformation and change in the mind of the people from The experiences and history of human kind it is clear that the principles of great religions have had on outstanding effect on the culture, attitudes, behaviour and thoughts of people all over the world. Perhaps human kind should refer to spirituality as a strong way to change the minds. The principles of justice must root in spirituality and human values which are acceptable mankind all over the world. Thus human rights declaration could nurture these principles from these roots to become value live and applicable to all of mankind.

(Endnotes)

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