



# INTERNATIONAL JOURNAL OF CREATIVE RESEARCH THOUGHTS (IJCRT)

An International Open Access, Peer-reviewed, Refereed Journal

## "INTERNATIONAL DIMENSIONS OF HUMAN RIGHTS AND GENDER STEREOTYPES IN INDIA: A STUDY WITH SPECIAL REFERENCE TO WOMEN"

**Brijesh Saroj**

(Author)

Department of CPGLS (One year LLM)

Babasaheb Bhimrao Ambedkar University

(A Central University)

Lucknow (UP)

**Somesh Prakash**

(Co-Author)

Department of CPGLS (One year LLM)

Babasaheb Bhimrao Ambedkar University

(A Central University)

Lucknow (UP)

### Summary –

To protect human rights, "International Dimensions of Human Rights" were decided at the international level only with the hope that all types of discrimination can be eliminated; inequality on the basis of gender can be eliminated, but women's representation in all fields from all over the world. The data has proved that gender discrimination is at its peak all over the world, from which our country is also not untouched, although it is pleasant that many organizations have been created at the national and international level to eradicate this discrimination. The presented study focuses on the causes of gender stereotypes and the efforts made to stop this discrimination at the international level.

**Key words-** gender stereotypes, dimensions, representation, and struggling, conscientious, efficiency.

## PREFACE

The set of rules, standards, and indices determined by global agreements and approved by the General Assembly of the United Nations whose purpose is to protect, preserve, and promote human rights is called the international dimension of human rights. It is mandatory for countries to follow these standards and include them in their national laws and policies. These standards are approved by the Human Rights Council of the United Nations

These include declarations and lists of human rights resolutions adopted by the United Nations General Assembly. At the same time, these standards have been developed based on the concept of a unified justice system in the world that guarantees the right to equality, justice, and opportunities for all individuals in human society.

The main objective of the international dimension of human rights is to establish a common norm that all countries recognize and which they incorporate into their constitutions, laws and policies in order to create a fair and secure humanitarian world in which To safeguard, protect and promote human rights, as well as to respond to them and ensure an accountable justice system in case of their violations. In short we can say that its objective is to create a just and dedicated human world in which a just, fair, and developing society can be established.

Despite all this, even today the opportunities for social, economic and political participation of women are not equal. Half the population is also not adequately represented in indices of educational attainment, health and life expectancy, and political empowerment. Women, representing half of the world's population, have been underestimated at the level of leadership in every corner of the world, or rather; their leadership potential has not been recognized. Some of its facts are as follows-

According to data compiled by the **Inter-Parliamentary Union (IPU)**, for the first time in the year 2023, women will be represented in all the parliaments of the world. **Martin Chungong, Secretary General of IPUA**, said that the bad news is that with this pace of progress, it will take **80** years to achieve gender parity in parliaments. In literal time we see that<sup>1</sup> Out of **193** countries, only<sup>1</sup> **22** countries have a woman as their head of government or head of state. Only 13 countries have 50 percent participation of women in the cabinet. Only 3 countries have **50** percent women MPs. Talking about global level, only **24** percent are women MPs. In **31** nations the number of women MPs is single or less than 10 per cent in the lower houses and there are 4 chambers of commerce in which there are no women. Similarly, only **24-25** of

---

<sup>1</sup> Available at: <https://news.un.org/hi/story/2023/03/1066592>.

the **2018 Fortune 500 companies** have women **CEOs** and 12 companies do not have a single woman on their boards.<sup>2</sup>

According to data compiled by the Inter-Parliamentary Union, women represent only 14.44% of the total membership in the **17th** Parliament in India. According to the latest available report of the Election Commission of India, women represent only **10.5%** of all members of Parliament (as of October 2021). In case of state assemblies, the representation of women **MLAs (MLAs)** is on an average 9%. India's ranking in this regard has declined over the years. It is currently behind Pakistan, Bangladesh and Nepal.<sup>1</sup> So far in India, only 2 Presidents, one Prime Minister, 24 Governors, 5 Lieutenant Governors and 16 Chief Ministers have been women, which is very less according to statistics.<sup>3</sup>

According to **Indian Administrative Service (IAS)** data and the Central Government **Employment Census of 2011**, less than 11% of its total employees were women, whose number increased to 13% in the year 2020. Moreover, in the year 2022, only 14% women were working at the secretary level in IAS. Even if all Indian states and union territories are counted together, only three women serve as Chief Secretaries ever in India

Women did not become cabinet secretaries. There has never been a woman secretary in the ministries of Home, Finance, Defence and Personnel.<sup>1</sup>

Only 20.37% of owners of micro, small and medium enterprises (MSMEs) are women, only 10% of start-ups are founded by women and the share of women in the labor force is only 23.3%.<sup>4</sup>

India has reached 127th position among 146 countries in terms of gender equality published by the World Economic Forum. According to the **World Economic Forum (WEF) Annual Gender Gap Report, 2023**, India's position has improved by eight places compared to last year. WEF had ranked India at 135 out of 146 in the Global Gender Gap Index in its report for 2022. Despite progress, India still lags behind in economic participation and opportunity. Gender parity in the region is only 36.7%. Efforts are needed to bridge this gap and provide more opportunities for women in the workforce.

Only 16.6% women in India are doing research in the field of science. According to the International Society of **Women Airline Pilots**, 12.4% of the total pilots in India are women, although this is the highest in the world. The percentage of women in India's police force is 11.7%.

---

<sup>2</sup> Available at: <https://www.amarujala.com/columns/blog/international-women-s-day-2022-social-economic-and-political-participation-important-for-women-empowerment?pageId=1>.

<sup>3</sup> Available at: <https://www.bbc.com/hindi/india-46525578>.

<sup>4</sup> Available at: <https://timesofindia.indiatimes.com/business/india-business/women-participation-in-msme-sector-at-24-higher-than-in-other-industries-study/articleshow/94180386.cms>.

The above figures show that the condition of women is not satisfactory. Not only in our country but all over the world, women are considered inferior to men, whereas today the examples of struggling, dutiful, courageous women found all over the world have proved that They are not inferior to men in any respect.<sup>1</sup>

## **GENDER STEREOTYPES**

Gender Stereotype is an assumption made about a person on the basis of his gender, which defines his characteristics, behaviour and responsibilities in the society according to gender. These notions are completely gender based. According to this, in determining the work, the standard is not a person's **desire, skill, efficiency**, etc. but his individual gender is the standard.<sup>5</sup>

Gender stereotypes are the main reasons for discrimination against women. It violates the rights of women. Due to this, women are limited to traditionally related works and they do not get equal opportunities to reach different fields. When women have a lower position in the society compared to men and are forced to follow the rules made by men, there is a violation of their rights.

## **REASONS FOR GENDER DISCRIMINATION AGAINST WOMEN IN INDIA**

### **1. Influence of old thinking social and cultural beliefs**

Categorical thinking and social and cultural beliefs that have been established in the society can hinder the representation of women. Generally, men are considered to be entitled to leadership, authority and representation, whereas women's voice and participation are given less importance.

### **Lack of education and literacy**

Education and knowledge are important sources of guidance and empowerment for women. Often women go through a crisis in education or are not given priorities which restrict their development and progress. Lack of education and literacy can weaken women in economic, social, and political matters.

### **2. Violence and exploitation of women**

Violence and exploitation against women harms women physically, mentally, or economically. Family members who want their daughters-in-law and daughters to study continue to have violence and exploitation against women in their minds, which is why women in our society get very little support from their families to pursue higher education or go abroad to study.

---

<sup>5</sup> Noreen Tsarina: The Other Side Page 42 Edition 2020

### **3. Lack of legal and institutional authorities**

Lack of legal and institutional authorities also leads to discrimination against women. Since ancient times, we have been seeing that women do not get equal rights in property, property rights, and inheritance, that is why they are not able to become self-reliant and are completely dependent on men, which becomes the reason for their exploitation.

### **4. Malevolent mentality**

The masculine mindset is a belief that men's ambition, empowerment, and authority are more important than women. In this mentality, men are seen in a position of supremacy in society and women do not have the right to disregard their wishes and needs. This mentality is unjust,

It is the result of endemic and societal ideologies that value men above women.

### **5. Social restrictions**

In some areas, women are not represented due to legal and social restrictions. These restrictions are based on social traditions, religious orders, traditional rules and persistent inequalities.

### **6. Influence of social organizations or Panchayats**

The biggest feature of our society is that it is governed by customary rules of organizations or Panchayats rather than formal legal rules, which is an important reason for discrimination against women.

## **INTERNATIONAL EFFORTS AGAINST GENDER STEREOTYPING**

### **1. Universal Declaration of Human Rights (UDHR 1948)**

The Universal Declaration of Human Rights compiles 30 rights, which include equality, equality of opportunities, life, liberty, travel, food, housing, education, health, religious and human freedom, and justice etc.<sup>1</sup>

### **2. International Covenant on Civil and Political Rights (ICCPR 1966)**

There are a total of **53** articles which are divided into 6 parts. In parts one, two and three, various rights and freedoms are mentioned which play an important role in protecting the rights of women through some means or the other.

### 3. International Covenant on Economic, Social and Cultural Rights (ICESCR 1966)

There are a total of **31** articles in this covenant which are divided into 5 parts in which **Article 10** provides rights related to **motherhood** and **childhood, marriage** and **family**.<sup>6</sup>

### 4. Convention on the Elimination of All Forms of Discrimination against Women 1979

It is a universal international agreement adopted by the General Assembly on 18 December 1979 that sets the highest standards for equality by protecting women's rights

### 5. Vienna Conference

Through the Vienna Conference in the year 1993, states have been urged to declare violence against women as a punishable crime and to put it before any customs, traditions or religious beliefs to avoid obstacles in the way of its end, don't bend.<sup>1</sup>

### 6. Optional Protocol on the Convention on the Elimination of Discrimination in all Forms

On **October 7, 1999**, the Optional Protocol to **the Convention on the Elimination of All Forms of Discrimination against Women** was adopted, through which an effort was made to strengthen the position of women victims of gender discrimination, sexual exploitation and other abuse.<sup>7</sup>

### 7. Beijing Conference

The Beijing Conference seeks to end any conflict that arises between women's rights and certain traditional or **stereotypical practices, cultural prejudices** and religious extremism.<sup>1</sup>

### 8. Maputo Protocol

Maputo Protocol has an important contribution in the field of women's rights. This protocol was adopted on **11 July 2003**. This protocol is a women's rights treaty.

### 9. Sustainable Development Goals

The decision to adopt the Sustainable Development Goals was taken at the United Nations Summit. 193 countries participated in this meeting. Among the 17 goals, the 5th goal has been taken to establish gender equality. In this, it has been pledged to eliminate any kind of gender inequality towards women all over the world.

---

<sup>6</sup> Same page 663-664.

<sup>7</sup> Dr. H.O. Agawam, International Law and Human Rights Central Law Publication 10th from 2008 Page 706.

## EFFORTS AGAINST GENDER STEREOTYPING THROUGH NATIONAL LAWS

### Indian Constitution

Equality before law and equal protection under the laws through Part 3 of our Constitution,<sup>15</sup> and prohibition of any kind of discrimination on grounds of religion, race, caste, sex or place of birth,<sup>8</sup> and special provisions for women and children,<sup>1</sup> Along with this, provisions like equality of opportunity for all citizens,<sup>9</sup> have been made by which women's rights have been protected and through the provision mentioned in **Part 4A** of the Constitution, an appeal has been made that there should be harmony among all the people of India. And to create a feeling of common brotherhood which is beyond all discrimination based on religion, language and region or class, we should abandon such practices which are against the dignity of women.<sup>1</sup>

To ensure representation of women in Panchayats, a provision of one-third reservation has also been made.<sup>101</sup>

### Major Indian Acts to establish gender equality

Many acts were passed to end gender discrimination against women in India, some of the major acts among them are **Child Marriage (Prohibition) Act 2006, Hindu Marriage Act, Immoral Traffic (Prevention) Act 1956, Dowry (Prohibition) Act 1961, National Commission for Women 1990, Pre-Conception Prenatal Diagnostic Techniques (Prohibition of Sex Selection) Act 1994, Domestic Violence (Prevention) Act 2005, Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressed) Act, 2013** etc., against women tried to stop the ongoing abuse.

### Protection from gender discrimination by the judiciary

The Supreme Court tried to end gender discrimination through many of its cases, some of the major cases are as follows: *Aunkar Singh vs. State of Rajasthan*<sup>21</sup>, *Delhi Domestic Working Women's Forum vs. Union of India*<sup>11</sup>, *Vishaka vs. State of Rajasthan*<sup>1</sup>, *Chandra Rajkumari vs. Police Commissioner Hyderabad*<sup>12</sup>, *B. D. Bhanot vs. Savita Bhanot*<sup>1</sup>, *Smt. Jai Lakshmi Sharma vs. Smt. Dropati Devi*<sup>13</sup>, *T. Shiv Kumar vs. Inspector of Police Tiruvellur*<sup>1</sup> etc.

---

<sup>8</sup> Ibid Article 15.

<sup>9</sup> The same Article 16 (1), (2).

<sup>10</sup> Same article 243 (d) (3).

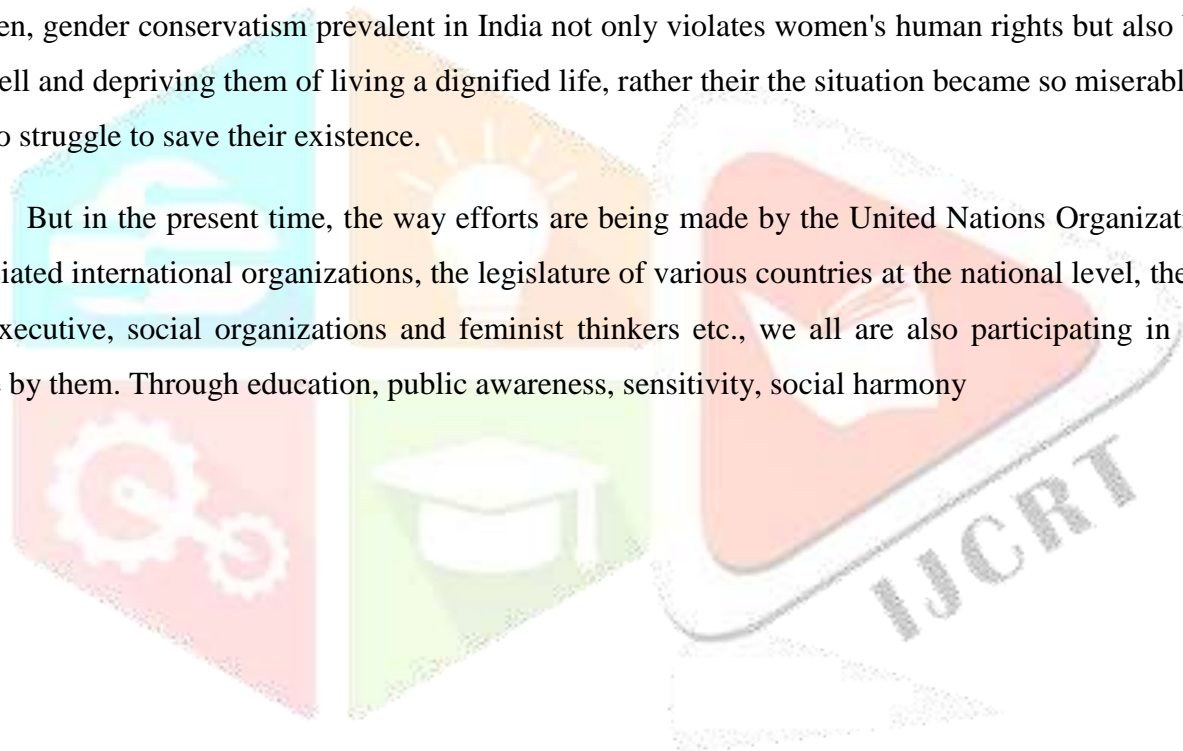
<sup>11</sup> (1995) 1 SCC. 14.

<sup>12</sup> AIR 1998 Andhra Pradesh 302.

## CONCLUSION

In ancient times, half the population was bitter due to non-cooperation, insult and oppression kept drinking sips and never had the courage to raise voice against their exploitation just imagine facing injustice, injustice, exploitation and neglect by saving our existence and taking our place in the front line of the society highly sensitive, creative and patient etc. women, full of all natural qualities, have been treated like men since ancient times if equal representation, opportunity and equal status had been given then it would have been certain, in this way we will reach the heights of success at double the speed and progress in development, would have been setting new records. This half of the world's population is non-cooperative, she kept on drinking the bitter sip of insult and oppression and sometimes did not accept the consequences of her exploitation, the entire world could not muster the courage to raise its voice against women, gender conservatism prevalent in India not only violates women's human rights but also by making life hell and depriving them of living a dignified life, rather their the situation became so miserable that they had to struggle to save their existence.

But in the present time, the way efforts are being made by the United Nations Organization and its associated international organizations, the legislature of various countries at the national level, the judiciary, the executive, social organizations and feminist thinkers etc., we all are also participating in the efforts made by them. Through education, public awareness, sensitivity, social harmony



<sup>13</sup> AIR 2010 Delhi 37.