

# Women and Human Rights

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**Abstract:** *Human rights are those minimum rights which are compulsorily accessible by every individual as she is a member of human family. The constitution of India also guarantees the equality of rights of men and women. However, in the sphere of women's human rights in India, there exists a wide gap between theory and practice. In our society is a male dominated society where men are always assumed to be superior to society. The India Women have to face to discrimination, injustice and dishonour. Though women in India have been given more rights as compared to men, even then the condition of women in India is miserable. This paper will throw light on the human rights of women in India and that how all the fundamental rights given to the women are being violated in India.*

**Keywords:** Human Rights

## I. INTRODUCTION

In the words of feminist activist, Paula Varela: 'Women... have the majority of the precarious jobs, and we perform the overwhelming majority of reproductive work at home. This is why a basic right such as the freedom to decide about one's own body, to decide on motherhood, is a right for which the entire working class has to fight. Similarly, that's why... the precariousness of work, the lack of funds for health and education, the extension of the working day... all these attacks on the working class have to be demands of the feminist movement.

*Global Fund for Women's approach focuses on winning rights for women, girls, and all historically marginalized people. Women's human rights are essential to achieving gender justice globally.*

### 1.1 Meaning and Concept of Women's Human Rights

Women's rights are the fundamental human rights that were enshrined by the United Nations for every human being on the planet nearly 70 years ago. These rights include the right to live free from violence, slavery, and discrimination; to be educated; to own property; to vote; and to earn a fair and equal wage.

As the now-famous saying goes, "women's rights are human rights." That is to say, women are entitled to all of these rights. Yet almost everywhere around the world, women and girls are still denied them, often simply because of their gender.

Winning rights for women is about more than giving opportunities to any individual woman or girl; it is also about changing how countries and communities work. It involves changing laws and policies, winning hearts and minds, and investing in strong women's organizations and movements.

Global Fund for Women exists to support the tireless and courageous efforts of women's groups who work every day to win rights for women and girls. These groups are working to ensure women can own property, vote, run for office, get paid fair wages, and live free from violence – including domestic violence, sexual assault, and harmful practices such as female genital mutilation.

### 1.2 Woman's Rights

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

We support two critical documents for women's rights that have followed the UN declaration. The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), an international bill of rights for women, requires

governments to end gender discrimination and affirms women's rights to health services, including family planning. The Beijing Declaration and Platform for Action, adopted in 1995 at the UN's Fourth World Conference in Beijing, was a rallying cry to embed gender equality and women's rights in every facet of life.

### **1.3 International Perspective**

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

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

This moment calls for energizing new efforts and focus on strengthening women's movements to help lead the charge for social change on the most pressing issues of our time. Global Fund for Women is committed to turning these challenges into opportunities for women to assert their leadership, action, and voice. By 2020, Global Fund for Women will ensure that movements for women's rights are powerful, influential, and achieving lasting gains. Now is the time to stand with the global women's movement.

Global Fund for Women is working for a world where every woman and girl can realize and enjoy her human rights. Only when women and girls have full access to their rights – from equal pay and land ownership rights to sexual rights, freedom from violence, access to education, and maternal health rights – will true equality exist. Only when women have taken leadership and peacemaking roles and have an equal political voice will economies and countries be transformed. And only then will all women and girls have the self-determination they are entitled to.

#### **A. Women have the Right to Equal Pay**

According to the provisions listed under the Equal Remuneration Act, one cannot be discriminated on the basis of sex when it comes to salary, pay or wages. Working women have the right to draw an equal salary, as compared to men. Women are eligible to get an equal pay under the laws of India.

#### **B. Women have the Right to Dignity and Decency**

In an event that the accused is a woman, any medical examination procedure on her must be performed by -- or in the presence of -- another woman.

#### **C. Women have the Right against Workplace Harassment**

The Sexual Harassment of Women at Workplace Act gives a female the right to file a complaint against any kind of sexual harassment at her place of work. Under this act, she can submit a written complaint to an Internal Complaints Committee (ICC) at a branch office within a period of 3 months.

#### **D. Women have a Right against Domestic Violence**

Section 498 of the Indian Constitution looks to protect a wife, female live-in partner or a woman living in a household like a mother or a sister from domestic violence (including verbal, economic, emotional and sexual) by the hands of a husband, male live-in partner or relatives. The accused shall be punished with a non-bailable imprisonment for a term which may extend to three years and shall also be liable to fine.

**E. Female Sexual Assault Victims have the Right to Keep their Identity Anonymous**

To ensure that her privacy is protected, a woman who has been sexually assaulted may record her statement alone before the district magistrate when the case is under trial, or in the presence of a female police officer.

**F. Women have the Right to Get Free Legal Aid**

Under the Legal Services Authorities Act, female rape victims have the right to get free legal aid or help from the Legal Services Authority who has to arrange a lawyer for her.

**G. Women have Right not to be Arrested at Night**

Unless there is an exceptional case on the orders of a first class magistrate, a woman cannot be arrested after sunset and before sunrise. In addition, the law also states that the police can interrogate a woman at her residence only in the presence of a woman constable and family members or friends.

**H. Women have the Right to Register Virtual Complaints**

The law gives women the provision for filing virtual complaints via e-mail, or writing her complaint and sending it to a police station from a registered postal address. Further, the SHO sends a police constable to her place to record her complaint. This is in case a woman is not in a position to physically go to a police station and file a complaint.

**I. Women have the Right against Indecent Representation**

Depiction of a woman's figure (her form or any body part) in any manner that is indecent, derogatory, or is likely to deprave, corrupt or injure the public morality or morals, is a punishable offence.

**J. Women have the Right against Being Stalked**

Section 354D of the IPC makes way for legal action to be taken against an offender if he/she follows a woman, tries to contact her to foster personal interaction repeatedly despite a clear indication of disinterest; or monitor the use by a woman of the internet, email or any other form of electronic communication.

**K. Women have a Right to Zero FIR**

An FIR that can be filed at any police station irrespective of the location where the incident occurred or a specific jurisdiction it comes under, the Zero FIR can later be moved to the Police Station in whose jurisdiction the case falls under. This ruling was passed by the Supreme Court to save the victim's time and prevent an offender from getting away scot-free.

**II. CONCLUSION**

In the present paper an attempt has been made to reflect the position of Indian women vis-'-vis the human rights situations. We find that the human rights situation of women is disappointing in the sense that their basic rights are violated by the patriarchal structure and culture of Indian society and politics. We conclude by saying that India's progressive development depends and its mission towards building up into a developed nation may be fulfilled on and with protecting human rights of men and women and we assume that it may be impossible to protect women human rights unless we save them from ongoing crimes and that the accessibility of women to their human rights within the four walls of the family has to be ensured first and only then we could think of a prosperous women in the new millennium.

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