

WOMEN RIGHTS ISSUE: A DILEMMA OF THE DEVELOPING COUNTRY

INTRODUCTION

The fact that gender equality and poverty eradication affect and influence each other is a commonly accepted fact: Over the last few decades, a phenomenon generally known as “feminization of poverty” has developed, connoting the disproportionate suffering of women and girls under the burden of poverty. Globally, today more than 800 million people live in extreme poverty, and estimates show that women and girls could account for almost three quarters of this number, despite the enormous reduction of extreme poverty since the 1990s and specifically since the introduction of the Millennium Development Goals³⁹

The vulnerability of women effected by poverty, malnutrition, but also lack of access to health care and education, effectively prevents women from becoming economically and politically empowered, and hinders their efforts for equality. On reverse, the lack of education and skills training, cultural and social structures cause that women are, more likely to remain under the poverty line; not being able to find employment and support their families. This creates a “cycle of poverty”, in which “women lack access to resources and services to change their situation”, they are more vulnerable and exposed to economic disturbances, and their fundamental rights are violated. According to Valentine M. Moghadam, “if poverty is to be seen as a denial of human rights, it should be recognized that women among the poor suffer doubly, from the denial of their human rights – first on account of gender inequality, and second on account of poverty”

Gender Violence:

Intimate Partner Violence- by an intimate partner can be define as a “behavior by an intimate partner or ex-partner that causes physical, sexual or psychological harm, including physical aggression, sexual coercion, psychological abuse and controlling behaviors.”¹² It is the most common form of violence experienced by women and girls worldwide and refers to women being beaten, coerced into sex or abused in any other way. In 2012, 1 in 2 women killed worldwide were killed by their partners or family, when only 1 out of 20 men were killed in such circumstances, which illustrates the scale of the problem. Regarding internal laws, 2/3 of all countries have legislation regarding domestic violence and only 52 countries have legislations recognizing marital rape as a crime, which means that 2.6 billion women and girl are not legally protected. Sexual Violence Sexual violence is defined by the United Nations as “any sexual act, attempt to obtain a sexual act, or other act directed against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting. It includes rape, defined as the physically forced or otherwise coerced penetration of the vulva or anus with a penis, other body part or object.”¹³ As a consequence, sexual violence refers to rape (within marriage, by stranger or during armed conflicts), unwanted sexual advances or sexual harassment, sexual abuse of children, and forced marriage or cohabitation. This type of violence is present in all countries. For instance, in the European Union, studies have shown that 45% to 55% of women have faced sexual harassment by the age of 15. Sexual violence comes with many health risks for women and girls suffering of this violence. Indeed, there is a high risk of exposure to HIV/AIDS and possibilities of traumatic gynecologic fistula for instance.

Human Trafficking and Sexual Exploitation- Human trafficking is defined as “the acquisition and exploitation of people, through means, such as force, fraud or deception.”¹⁴ This practice still occurs in the twenty-first century and often results in sexual exploitation. On the 21 million people estimated to be forced to labor, 4.5 million would face sexual exploitation, and 98% of these people are women, according to UN Women.

Female Genital Mutilation (FGM)- Female genital mutilation refers to the “procedures that intentionally alter or cause injury to the female genital organs for non-medical reasons.”¹⁵ This practice causes extreme physical and psychological pain to women and girls enduring it. FGM is also a great risk to health, especially regarding HIV/AIDS, and diseases or infections women could be subjected to due to FGM. However, it is a common practice in 29 countries of Africa and Middle-East, where more 133 million women alive have suffered of this practice.

Child Marriage- Child marriage refers to forced marriages of young girls without their consent. 700 million women worldwide were married before the age of 18, and a third of them before 15. In many countries, child marriages results from poverty, and are a real threat to the education of young girls. Furthermore, young girls married under 18 are more exposed to intimate partner violence and sexual violence. Other forms of violence against women and girls Violence against women and girls is expressed in many different ways, not only including the previously mentioned types of violence. There is also dowry murder, “honour killing”, violence during pregnancy, sexual harassment, economic violence, and many other forms of violence based on discrimination resulting from women’s ethnicity, caste, class, migrant or refugee status, age, religion, sexual orientation, marital status, disability, etc....

Consequences of violence against women and girls

Violence can have a dramatic impact on the victim. Indeed, consequences are really diverse and occur in many different areas : physical, sexual and psychological consequences (highly linked to health issues) as well as economic, educational or cultural consequences. Indeed, some types of violence lead to lower levels of education, exposure to child maltreatment, antisocial personality disorders, or even to the acceptance of gender inequality as a normal practice. Many types of violence have direct or indirect consequences health. The main risk for women and girls exposed to violence is the exposure to HIV/AIDS, especially in case of sexual violence. It can also result in more dramatic circumstances such as homicide or suicide. Sexual violence in particular has many heavy consequences : injuries, unintended pregnancies (and abortions), gynecological problems, sexually transmitted infections (STDs, including HIV). Psychological effects of sexual violence are also very diverse : depression, post-traumatic stress disorder, sleep difficulties, eating disorders, emotional distress and suicide attempts. Studies have shown that alcohol problems and addictions can result of such violence. Moreover, health effects can include headaches, back pain, abdominal pain, fibromyalgia, gastrointestinal disorders, limited mobility and poor overall health, especially in countries where the access to healthcare is limited. Finally, violence during childhood can impact the comportment and attitudes of children regarding smoking, drug and alcohol issues. Children are also subject to mortality, malnutrition or diseases. It can also lead to sexual or violent behaviors in later life, mostly as perpetration for males and victims for females

There are different ways to fight this type of violence, and prevention is a key in the response to the issue. Indeed, through prevention, violence can be reduced and avoided in many cases. Prevention is effective thanks to education for boys and girls, men and women but also thanks to a larger access to information and awareness campaigns. Education is the key in the prevention of violent acts against women and girls. It targets boys as well as girls. Indeed developing education in rural areas and countries especially concerned by gender-based violence is fundamental. This type of prevention must start in the early life of children in order to promote gender equality in a better and durable way. It must concern boys in order to avoid them to perpetrate acts of violence, but also girls to give them a sufficient knowledge of their fundamental rights. Education also comes with the empowerment of women in order to reach gender equality.

Programs such as “Voices against Violence” must be encouraged by the United Nations and Government. This program is “a co-educational curriculum designed for various age groups ranging from 5 to 25 years. It provides young people with tools and expertise to understand the root causes of violence in their communities, to educate and involve their peers and communities to prevent such violence, and to learn about where to access support if violence is experienced.” This way of educating young people provides large prevention, covering the understanding of the issue, the ways of avoiding it, and even more important, services related to victims of gender-based violence. Furthermore, this specific program can be “adapted to national context, translated into local languages, and rolled out in schools and communities in partnership with youth organizations, UN partners and governments.” Indeed, an educational program of prevention must be adapted to the population targeted in order to be efficient and largely diffused to urban areas, as well as local and rural ones.

Awareness campaigns Raising awareness is a complementary action to education. Indeed, it provides information, not only to young people, but more largely to men and women. The aim of such an action

is to change attitudes and behavior towards women and girls, and mobilize populations to promote gender equality (through local projects, global petitions, information on women's rights, etc.).

The United Nations Secretary General's Campaign to End Violence against Women (UNiTE campaign) has been implemented in order to fulfill awareness objectives but not only. It aims the end of gender-based violence through different means and awareness is one of the main ones. The campaign established 5 goals, the fourth one being "Increase Political 16 UN Women, Ending Violence against Women, Focusing on Prevention to Stop the Violence, which proves the relevance of communication and prevention through awareness campaigns. This campaign is however not the only one which has been launched regarding violence towards women and girls. Many more exist, added to the international days focusing on the different types of violence. There are many specific awareness campaigns, regarding a precise form of violence regarding women and girls. Finally, awareness must adapt itself to countries and populations targeted. As a consequence, in a globalized world, internet and social media represent a key point for the prevention of violence against women and girls. Direct support to women and girls victim of violence Prevention is essential to reduce and eliminate gender-based violence. However, numerous women and girls still experience violence everyday around the world. This is the reason why, it is absolutely necessary to create structures which can bring help to the victims of violence. These structures are implemented in "multi-sectoral national action plans." It means that each country must internally provide support to women and girls who experience violence, through many different ways (multi-sectoral plans). Direct support can be brought with centers providing health services for victims of violence. Hotlines and helplines can also provide information to women and girls, but essentially support to avoid any dramatic psychological condition for instance. The existence of free legal services for women and girls into these centers is also required to organize a complete support of victims. Finally, measures such as the creation of safe spaces or more recently "safe cities" would provide women and girls the security they require, even if they never experienced gender-based violence. These fundamental and basic services must be accessible to any woman or girl victim of violence, without any distinction on religion, sexual orientation, class, social status, etc. Vulnerable groups such as refugees, women with disabilities, indigenous or women living in rural areas must benefit equality of such services.

POLITICAL BARRIERS

The structural and socio-cultural obstacles for women that prevent them from holding senior positions in political and economic decision-making are vast. Politics, as well as economics, are traditionally understood as the areas of men and specifically numerous national political structures and cultural stereotypes pose significant challenges to women wishing to run for a public office. Shvedova argues that women in parliamentary elections and structural procedures

are often marginalized due to lack of financial support for political campaigns of female candidates, the lack of a supportive working environment for female Parliamentarians and the obstacles posed by culturally and socially “prescribed nurturing roles of mother, wife, sister and grandmother”, which can often not be coped with work in political decision-making.

Types of Political Participation

1. Women’s political participation cannot be limited to voting. Women can exercise political participation by becoming advocates, activists, political party members and candidates. As it can be inferred through the UN Reports, it is possible to examine women’s political participation under several categories. Women can demonstrate an active participation within the legislative branch in national parliaments or by using their right to representation/to vote. Female participation may be evaluated within the frame of the executive branch in which Women occupy places in Government Positions or within the scope of judicial branch in which women exercise their political participation as judges, member of Supreme Courts. Beyond these, participation in other public bodies, in NonGovernmental Organizations may also form criterions for the evaluation of this process.

2. Promotion of Women’s Political Participation in Different Systems

The elections systems may have various impacts on the numbers of women that are elected. For this reason, different system regarding elections must be treated as an important element. It is possible to distinct two main systems in most countries: proportional systems and majority systems. In proportional systems the political parties submit lists of candidates and voters must make a selection among the candidates determined in these lists. Pursuant to their vote percentage, parties may obtain seats and the members at the top of the candidate lists may also allocate seats in national parliaments. Thus the proportional systems can be used as a tool for the empowerment of women in national parliaments. In other words, if women are placed on top of the lists, pursuant to the vote share, women can allocate seats without manipulation. On the other hand countries may apply majority systems. Generally a winner-take-all logic rules over this system. A single seat may be allocated per constituency. For this reason generally in such systems, parties are less likely to nominate women as their candidates. It is also possible to see in the mixed systems the opportunity for women to have great numbers of seats. Consequently, the promotion of women’s participation in proportional systems requires gender balanced lists. It is important to point out that certain countries have this in their system as a legal obligation. Of course the implementation of the system may influence the effectiveness. Example: Bosnia and Herzegovina The provisions regarding election systems in Bosnia and Herzegovina includes a gender-responsive approach. A gender balance on party lists is accepted as a legal requirement in order to ensure balanced representation. According to the relative provisions: “The minority gender candidates shall be distributed on the candidate list in the following manner: at least one (1) minority gender candidate amongst the first two (2) candidates; two (2) minority gender candidates amongst the first five (5) candidates; and three (3) minority gender candidates amongst the first eight (8) candidates et seq. The number of minority gender candidates shall be at least equal to the total number of candidates on the list, divided by three (3) rounded to the closest integer.” Promoting women’s participation in majority systems may be more limited in comparison with the proportional systems but

the countries have a several useful ways to apply. As an example, revisions for political party laws may be effective and require a certain number of women in each party candidates. As well as the political party constitutions may be revised in conformity with this voluntary target. Furthermore, women's wings can have a crucial role for empowerment of women in political sphere. These entities may be a baseline for women to be active and use their political skills. The women's wing may also be an important element in order to gain effectiveness in women movements.

Application of Quotas: Legal Reforms and Implementation in Bosnia and Herzegovina, Women's participation in political parties is not the only option for women to be active in the political sphere. Non-governmental organizations constitute a favorable area for women to develop their political skills and exercise their participation. Non-governmental organizations are the opening door for women to enter into politics via the women movements that are crucial for determining the visionary agenda for women's political participation. Women's movements ensure awareness in society but particularly it is a unique opportunity for women to develop a political background. Women's movements, thus The NGOs are also the instruments of pressure against the political parties and with this influence women can address seriously to all political parties. For all of these reasons the role of the NGOs is nonnegligible regarding the advancement of women's political participation. Within this context media is another key factor in this process. Particularly Internet and social media have an important role for raising awareness as well as for shaping voter interest. Media is one of the key issues in all election periods. The more media gives place for women candidates / advocates,, the more we may observe an advancement for women's political participation.

3. Obstacles Regarding Women's Political Participation 2011 UN General Assembly Resolution states that: "Women in every part of the world continue to be largely marginalized from the political sphere, often as a result of discriminatory laws, practices, attitudes and gender stereotypes, low levels of education, lack of access to health care and the disproportionate effect of poverty on women." Unfortunately, even if there are legal provisions protecting women's right for political participation, it is often possible to observe obstacles against active female participation in politics. Especially the traditional and patriarchal values constitute generally the baseline of these obstacles. Financial resources, lower levels of education, less access to information, greater family responsibilities and a deprivation of rights constitute main points of these obstacles. The UN Human Rights Council Report regarding the discrimination against women in law and in practice (A/ HRC/ 23/50) states these obstacles under several titles. With regard to this report firstly the discriminatory family status may have a negative influence on women's active participation in political sphere. The report states "Patriarchal and discriminatory family law or practice may limit women's freedom of occupation and freedom of movement in

Women & Elections Guide to promoting the participation of women in elections, p.34 the public space".⁴³ Overcoming this problem requires reforms of family laws. For instance the Case of Morocco can be given as a positive example, which achieved significant reform on many fronts in the family code. In addition unequal caregiving responsibilities have also a negative impact on women's motivation for active political participation. For instance In Norway, a direct causal relationship between the presence of women in municipal councils and childcare coverage was found. According to the report the Stereotypes of women's capacities and roles that negatively affect women's effective participation in political life.⁴⁶ Gender stereotypes are one of the issues that international community has to tackle. Moreover violence against women is another obstacle which undermines women's capacity to

effectively engage in political life. In political life various forms of violence is used to silence and discredit women. Gender specific violence is used as an instrument against female political figures.

Other obstacles which fall more into the cultural spectrum are posed by societal systems themselves, characterized by patriarchal or gender-hierarchical structures of the society. This is self-explanatory in the sense that in societies or communities in which women are fundamentally excluded from political affairs and are culturally assigned tasks of house holding and child and family care, their participation in decision-making is severely hindered and a change in gender equality in decision-making in the quantitative sense would require a change in the broader cultural or socio-structural sense. This can be particularly problematic in patriarchal societies such as in many of the Arab countries, in which men are often considered to be in control of the women's public life, because men are responsible for the protection and safety of the women. In connection to conservative religious traditions, women are therefore often fundamentally excluded from the public sphere and their positions in society may be limited to the private sphere and family environment. Needless to say that some political Islamic parties have supported female candidates in the past, in many countries and societies the political sphere is also considered "not a safe and secure place" for women³⁰. The difficulty of many Arab societies to cope with the notion of female empowerment and participation of women in political affairs and decision-making has also been demonstrated through the difficulty of many countries in coping their national legislations with International Conventions such as CEDAW, and the failure of many policies in addressing gender inequality and in fact striving towards maintaining the "status quo" of traditional patriarchy and gender hierarchy in society^{31 32}

EDUCATIONAL BARRIERS

Lastly, especially in developing and less-developed countries, the lack of education or skills training is a crucial challenge for women and girls. There is enough evidence which indicates that empowerment of women in society results from the combination of increasing economic as well as social and cultural capital, such as education, awareness raising and collective action, as well as legal and technological skills and knowledge. Although an improvement since 1990, women only hold 40 out of every 100 wage-earning jobs in the nonagricultural sector around the globe.²⁵² Women continue to endure discrimination in many countries, particularly in lack of access to education, job

opportunities, and economic assets. Additionally, the inability for women's voices to be heard in many governments contributes to the persistent circumstances forcing women into holding jobs that are less secure, with fewer benefits than men's, and into work places that are often more dangerous. Beyond the specific barriers mentioned so far, the effects of violence towards women and girls cannot be understated as a significant obstruction to individuals in all economic categories; and a major impediment for the successful attainment of MDG. Severe poverty lingers among older girls, also hindering completion of a secondary education for many. All of these factors work synergistically against women and girls, leaving many with few options and resulting in extreme vulnerability to exploitative and abusive forms of employment.

Beijing Platform for Action The Beijing Platform for Action (BPfA) was adopted at the Fourth World Conference on Women, held in Beijing in 1995. The Platform for Action contains complementary goals supporting the empowerment of women. In chapter IV., it is recognized that equal relationships between men and women prosper when non-discriminatory education is provided, resulting in mutual benefits. If women are to become proactive agents of change, a focus on the equality of access to and attainment of educational qualification is necessary. Strategic objectives and actions that should be adopted include: "eradicating illiteracy in women; improving access for women to vocational training, science and technology, and continuing education; developing gender-neutral education and training; allocating sufficient resources for and monitor the implementation of educational reforms; and promoting life-long education and training for girls and women." To achieve equality between women and men, it is essential to consider how these issues relate to human rights and the conditions of social justice, as the BPfA recognizes gender equality as a fundamental prerequisite for development and peace. The right to education can be considered as fundamental, as it is the first step in the exercise of all other human rights and freedoms. Education is instrumental in the promotion of individual freedom and empowerment, and it can highlight the importance of gender equality as a core value. Millions of children and adults are deprived of educational opportunities due to poverty and social marginalization. However, at a global scale, girls and boys have gained an equal access to primary education in the past years. Women continue to face a multitude of challenges in acquiring access to training opportunities, particularly in the field of science and technology. While not always in direct correlation to training or education, there remains barriers globally that challenge women and girls' ability to access training opportunities including health, socioeconomic status and social norms. Persistent poverty creates insurmountable barriers to completing an education or technical training. Destructive and discriminatory attitudes towards women coupled with demeaning and sometimes physically and emotionally damaging cultural practices offer limited opportunities to girls, leading many into lives heavy domestic responsibilities or, for some, persistent sexual abuse. In times of recession, women are among the first to lose jobs, bearing a significant portion of economic crises' hardships, as they are pulled out from fast-growing sectors. Current challenges women face derive from a reduction in childcare facilities caused by elimination and or privatization of state work places. Gender stereotyping is one of the root causes of segregation in the working life. Developing a gender-sensitive curriculum from primary school, to vocational training, and universities will help address this obstacle. The elimination of these gender disparities within education, which can be advanced with appropriate governmental policy, is the first step to ensure access to sufficient training for all. Women of all ages are more able to ease into the transition from education and training to the reentry into the labor market if correct incentives are given to improve access to gender-sensitive career counseling along with job search support services. These services include work preparedness and employment searching skills in

the curricula for secondary and higher education, along with vocational training. Young women can obtain work experience, which prepares them to participate fully in the working population later in life, if provisions in collaboration among parents, non-governmental organizations, youth organizations, communities, and the private sector are taken.

