

## WOMEN'S HUMAN RIGHTS-A DISCUSSION AGAINST SEXUAL HARASSMENT, GENDER BIAS AND VIOLENCE

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In recent years sexual and gender based violence on women has gained greater public acknowledgement in many countries of the world but denial of its scope and seriousness remains widespread. Violence affects the lives of millions of women worldwide, in all socio-economic and educational classes. It cuts across cultural and religious barriers, impeding the right of women to participate fully in society. Violence against women takes a dismaying variety of forms, from domestic abuse and rape to child marriages and female foeticide. All are violations of fundamental human rights. The slogan "Women rights are human rights" has become a central claim of the global women's movement, feminist theorists have argued for an explicit inclusion of women and gender in human rights tenets, and United Nation forums have become central sites of an energetic new global feminist 'public', providing unprecedented avenues for feminist initiatives and action. In the Vienna Declaration and Programme of Action<sup>1</sup> adopted in Vienna Conference 1993<sup>2</sup>, the human rights of women were declared to be part of human rights. It said "The human rights of women and of the girl child are inalienable, integral and indivisible part of the universal human rights. The full and equal participation of women in political, civil, economic and cultural life at national, regional and international level and eradication of all forms of discrimination on ground of sex are priority objectives of the international community."<sup>3</sup>

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1. UN General Assembly, *Vienna Declaration and Programme of Action*, 12 July 1993, A/CONF.157/23.
2. World Conference on Human Rights, 14-25 June 1993, Vienna, Austria.
3. Vienna Declaration and Programme of Action, part I, para.18.

### **Definition and Magnitude of the Problem:**

Violence against women is a manifestation of historically unequal power relations between men and women. Violence is part of historical process and is not natural or born of biological determinism. The system of male dominance has historical roots and its functions and manifestations have changed over time. The oppression of women is, therefore, a question of politics requiring an analysis of the institutions of state and the society, the conditioning and socialization of individuals, and the nature of economic and social exploitation. The use of force against women is only one aspect of this phenomenon, which relies on intimidation and fear to subordinate women.

The United Nations has offered the first official definition of violence against women. The UN has specifically articulated that violence against women does not limit to acts of physical, sexual and psychological violence in the family and community. It includes spousal battering, sexual abuse of female children, dowry-related violence, rape including marital rape, and traditional practices harmful to women, such as female genital mutilation at work and in school, trafficking in women, forced prostitution, and violence perpetrated or condoned by the state, such as rape during war. The definition of WHO also encompasses all types of physical abuse, as well as suicide and other self-abusive acts.<sup>4</sup> Violence against women, as defined in the 1993 Declaration on the Elimination of Violence against Women refers to 'any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life'. Such violence persists worldwide, occurring in every region, country and culture and cuts across income, class, race and ethnicity. It impedes development and prevents women and girls from enjoying their human rights and fundamental freedoms.<sup>5</sup>

### **Forms of Violence against Women:**

Women are not only subject to sexual violence but also gender based violence against women. It is expedient to understand the meaning of gender and sex. Sex is

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<sup>4</sup> WHO, Fact sheet N°239, November 2009

<sup>5</sup> A/RES/48/104, 20 December 1993.

a physiological or biological characteristic of a person, which indicate whether the person is a women or a man. It is natural, constant, non-hierarchical and cannot be easily changed. Gender refers to the socio-cultural definition of men and women, the way societies distinguish them and assign them social roles. It is created by society, hierarchical and difficult to change but not impossible. There are four forms of violence against women which are as follows:

- (a) **Physical Abuse:** Physical Abuse such as punching, kicking are usually used to control another person. Physical abuse is more commonly used on women.
- (b) **Psychological and Emotional Abuse:** Criticism, threats and other ways of mistreatment and undermining self worth of another person usually result in making that person more dependent and frightened by the abuser.
- (c) **Sexual Abuse:** Physical force or non-physical coercion to compel women to have sex against their will is known as sexual abuse. Forms of sexual abuse include forced penetration-rape, sexual assault, forced sexual contact etc.
- (d) **Abuse through Controlling Behaviour:** In a patriarchal society, social norms legitimize more power among men. Violence, which arises as a result of the unequal power relationships and discrimination, falls under this category, e. g. not allowing women to work outside home, restricting financial control etc.

The causes of violence against women are closely linked to the question of female sexuality. It is for this reason that violence against women often finds its sexual expression. The control over female sexual behavior is an important aspect of many law codes. The main purpose of it to ensure chastity and this desire to ensure chastity may take different forms. Female genital mutilation is perhaps the most extreme manifestation. This type of violence curtails female sexual expression so that women will remain chaste and faithful to their husband. The protection against sexual violence often entail restrictions being placed on women whether in the form of dress codes or the freedom of movement.

The prevalence of ideologies which justify the subordinate position of women is another cause of violence against women. Certain customary practices and some aspects of tradition are often the cause of violence directed against women. Besides female mutilation, a whole host of practices violate female dignity. Male preference, early marriage, dowry death, female infanticide and malnutrition are among the

many practices which violate human rights of women. Elements of the international and national media may also be blamed for causing attitude which give rise to violence purported against women. The media sometimes reproduce negative stereotypes of women which may give rise to violence against women. Pornography is both a symptom and cause of the violence against women. Pornography is itself violates female dignity but in addition, it often promotes attitudes and practices which result into violence against women.

### Global Initiatives:

The protection of the rights of women has been the concern of world community since the end of world war but there was already a tradition of internationalism among women activists before the UN initiatives on human rights.<sup>6</sup> The preamble and various provisions of UN Charter<sup>7</sup> provide protection and promotion of fundamental human rights on the bases of the principle of equal rights of man and women. Gender based violence is a form of discrimination which seriously inhibit women's ability to enjoy rights and freedoms on the basis of equality with men.<sup>8</sup> Therefore efforts have been made at the International level to prohibit violence against women and sex discrimination, which was first, incorporated in the U.N. Charter of 1945 and later reiterated in the UDHR<sup>9</sup>, ICCPR<sup>10</sup> and ICESCR<sup>11</sup>

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6 The first International Women's Congress that convened in Paris in 1877, national sections for international women's organizations such as the International Council of Women (founded in 1888), the International Alliance of Women (founded in 1904), and the Women's International League for Peace and Freedom (founded in 1915) were formed in more than fifty countries all around the world.

7 The **Preamble** of the UN Charter reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women; **Article 1** provides one of the purposes of UN is to promote and encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; **Article 8** provides that the United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs; **Article 55** with a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

8 Laura Reanda, "Human Rights and Women's Rights: The United Nations Approach", Vol. 3, No. 2, May, 1981, Human Rights Quarterly. Page -31 at 11.

9 *Universal Declaration of Human Rights*, GAOR, 3rd Sess. A/810 (1948), [GA Res. 217A (III), 10 Dec. 1948.

10 *International Covenant on Civil and Political Rights*, GAOR, 21st Sess., Suppl. No. 16 (A/6316), at 52-58 [GA Res. 2200A (XXI), 19 December 1966.

11 *International Covenant on Economic, Social and Cultural Rights*, GAOR, 21st Sess, Suppl. No. (A/6316), at 49-50 [GA Res. 2200A (XXI), 19 December 1966.

guarantees equal protection of the law to both sexes.<sup>12</sup> Women-specific international instruments have resulted from the realisation that the real equality for women cannot be achieved only by prohibiting discrimination or by using gender-neutral language in formulating regulations, but special conventions were required to make which were mandatory for states to comply with certain women-related legal standards and to adopt special legal and political measures. Until the mid-1960s, the spotlight was on civil and political rights.<sup>13</sup>

Based on the realization that discrimination against women has complex and specific causes, the United Nations General Assembly passed the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) in 1979<sup>14</sup> as part of the UN Decade for Women (1976–1985). The Convention is directed at all forms of women-specific discrimination which it calls on states to abolish. For the promotion of women in various fields and to eliminate discrimination against women two organs have been established under UN system. *First*, the Commission on the Status of Women, charged with the formulation of international policy framework to ensure the advancement of women. In 1987 the Commission identified violence against women within the family and society and in 1991, it recommended the development of international instruments on violence against women and various other majors for the advancement of women. *Second*, the Committee on the Elimination of Discrimination against Women (CEDAW) which is a treaty body established to monitor the 1979 Convention on the Elimination of all forms of discrimination against women. The Convention laid the foundation and universal standard for women's equal enjoyment without discrimination of civil, political, economic, social, and cultural rights. The CEDAW provides that women be given rights equal to those of men. The Optional Protocol to the Convention on the Elimination of all Forms of Discrimination against

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12 Article 2, 3, 23, 26 of International Covenant on Civil and Political Rights and Article 7, 10 of International Covenant on Economic, Social and Cultural Rights, are relate to gender equality.

13 Convention on the Political Rights of Women (1952); Convention on the Nationality of Married Women (1957); Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (1962). These conventions have lost virtually all meaning in practice today.

14 The convention came into force in 1981. It has ratified by 179 states by 2005.

Women entered in to force on 22 December 2000<sup>15</sup>, which entitles individual women and groups of women to petition CEDAW with respect to the violation of convention. It also allows committee of its own motion to inquire in to grave or systematic violation including all forms of violence against women.<sup>16</sup>

Various world conferences on women concluded under the auspices of UN made an important role for the protection and to promote awareness of women's human rights.<sup>17</sup> In addition to the world conferences on women, there have been several other UN global forums since 1990 that produced separate sections devoted to women in their final documents.<sup>18</sup> The world Plan of Action adopted by the First World Conference on Women in Mexico in 1975 drew attention to the need for the family to ensure dignity, equality and security of each of its members. The 1980 Conference, which marked the middle of the UN decade for women, adopted a resolution on "battered women and violation in the family." At the Nairobi World Conference in 1985 the issue of violence against women truly emerged as a serious international concern. The Vienna Conference of Human Rights in 1993<sup>19</sup> was one of the main turning points in women's rights for the first time, recognized the gender-based violence against women, as a human rights concern. What is particularly noteworthy in the Vienna paper is that the discussion on the protection of women against violence also makes explicit reference to the private sphere, including marriage and family. Until then, states had not felt responsible for taking action against violence in the private domain. The Vienna Declaration and Programme of Action<sup>20</sup> specifically condemned gender based violence and all forms of sexual harassment and exploitation.

Following the Vienna Conference, the UN General Assembly passed the UN

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15 Optional Protocol to the Convention on the Elimination of Discrimination against Women, G.A. Res. 54/4, Annex, 54 U.N. GAOR Supp. (No. 49) at 5, U.N. Doc. A/54/49 (Vol. I) (2000), entered into force on Dec. 22, 2000.

16 Article 2 of Optional Protocol to the Convention on the Elimination of Discrimination against Women 2000.

17 Four world conferences took place between 1975 and 1995: in Mexico City in 1975, Copenhagen in 1980, Nairobi in 1985, and Beijing in 1995.

18 The Conference on Environment and Development (1992, Rio de Janeiro), the World Conference on Human Rights (1993, Vienna), the International Conference on Population and Development (1994, Cairo), and the World Summit on Social Development (1995, Copenhagen).

19 World Conference on Human Rights, Vienna, 14-25 June 1993.

20 A/CONF.157/23 12 July 1993

Declaration on the Elimination of Violence against Women in December 1993.<sup>21</sup> Although the Declaration is not binding under international law, it recognises violence against women – even in the private sphere – as a violation of human rights and calls upon the state to take relevant measures. It serves as a reference point for human rights entities, other UN organizations, as well as NGOs in their efforts to combat violence against women. The definition of violence in the Declaration encompasses actual or threatened physical, sexual and psychological violence in the family and society as well as violence perpetrated or condoned by the state. This includes, *inter alia*, sexual abuse, rape and violence in marriage, female genital mutilation, trafficking in women, enforced prostitution and sexual harassment at the workplace. The Commission on Human Rights<sup>22</sup> in 1994 created the first gender specific human rights mechanism and appointed a special rapporteur on violence against women<sup>23</sup>. Her mandate was to seek and receive information on violence against women and recommend measures to eliminate violence.

The subsequent UN Conference especially the Fourth World Conference on Women 1995 was held in Beijing. The outcome document of the Conference was the Beijing Platform for Action<sup>24</sup>, which has 12 strategic areas of critical concern, including violence against women, human rights of women, violation of the rights of women in armed conflict, particularly murder, systematic rape, sexual slavery and forced pregnancy, forced abortion, female infanticide and pre-natal sex selection. It was concluded that issues critical to the future well being of the women of the world in terms of resources development, protection of environment, establishment of peace, improvements of health and education depend on the adjustment of the status of women. For this it suggested a multi pronged, integrated approach. As a contribution to the implementation of the Action Platform, UNIFEM established

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21 A/RES/48/104, 85th plenary meeting, 20 December 1993.

22 **Human Rights Commission was replaced by Human Rights Council by UNGA Res. A/RES/60/251, 15 March 2006.**

23 The United Nations Commission on Human Rights in resolution 1994/45, adopted on 4 March 1994, decided to appoint a Special Rapporteur on violence against women, including its causes and consequences. The mandate was extended by the Commission on Human Rights in 2003, at its 59th session in resolution 2003/45. **Ms. Rashida Manjoo** (South Africa), since August 2009, **Dr. Yakin Ertürk** (Turkey), August 2003 - July 2009, **Ms. Radhika Coomaraswamy** (Sri Lanka), 1994 - July 2003.

24 Beijing Declaration and Platform for Action, Fourth World Conference on Women, 15 September 1995, A/CONF.177/20 (1995) and A/CONF.177/20/Add.1 (1995).

a fund in 1996 to finance projects integrating innovative strategies to counter violence against women<sup>25</sup>.

In 2000, within the scope of the follow-up process to Beijing, a special session of the UN General Assembly was held to appraise the implementation of the Action Platform.<sup>26</sup> The Beijing+5 recognizes the fact that gender based violence against women is now viewed as a matter of serious concern by the international community, with many forms being regarded as serious violation of international legal standards.

The outcome document of the Beijing +5 Conference, for the first time, mentions female genital mutilation, so-called honour killings, forced marriage and marital rape as examples of violence against women and of human rights violation. Trafficking in women, women and armed conflicts and the effects of HIV/AIDS infection on women have been identified as important new areas for action. The States have committed themselves to abolishing all laws that discriminate against women by 2005 and to eliminate the differences between boys and girls with regard to school attendance. Adult illiteracy will be halved by 2015, and there will be universal access to healthcare.<sup>27</sup> In its 2005 session, the Commission on the Status of Women will review the implementation status of the Beijing Action Platform and the Beijing +5 document.<sup>28</sup> To this end, it has sent out government questionnaires. Women's networks have supported the dissemination of the Platform and strategies for its implementation right up to the local level. Other specialized agencies of UN also acknowledged violence against women in its policy directives.<sup>29</sup> Therefore the global framework of Universal Human Rights has provided legitimacy to all those

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25. In its resolution 50/166 of 22 December 1995, the General Assembly gave the United Nations Development Fund for Women (UNIFEM) the mandate to strengthen its activities to eliminate violence against women in order to accelerate the implementation of the recommendations set out in the Beijing Declaration and Platform for Action.

26. General Assembly Official Records Twenty-third special session Supplement No. 3 (A/S-23/10/Rev.1); 23th session (5 to 9 June 2000) of UNGA met to agree future action and initiatives to implement the Beijing Declaration and Platform of Action. Which entitles as: "Women 2000: Gender Equality, Development and Peace for the 21th Century."

27. Sonja Wölte, *The International Human Rights of Women* (Eschborn: Deutsche Gesellschaft für Technische Zusammenarbeit, 2003) p. 17.

28. Ten-year Review and Appraisal of the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly held during the forty-ninth session of the CSW, from 28 February to 11 March 2005.



working towards equal rights for women and has given them tools by specifying the nature, meaning, content and implications of Human Rights of Women.

### **National Concern:**

Every woman deserves a right to live with human dignity and respect. However, for women in India though the rights are constitutionally sanctioned and ideally spoken about, in reality missing. Even after 60 years of democracy, Indian women are still treated as unequal member of the human community. Men exercise greater authority over women. Despite the various provisions in our constitution<sup>30</sup> and numerous statutory laws,<sup>31</sup> women are being discriminated in all wakes of life in India. However, the Government often was unable to enforce constitutional mandate and statutory laws especially in rural areas in which traditions were deeply rooted. The data available clearly shows that in India sexual and gender based violence against women is serious issue.<sup>32</sup>

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29 The UNHCR has developed legal and policy directions to ensure recognition of violence against women as the bases for claims of refugee status while determining the refugee status of women. ILO and WHO addressed specific forms of violence against women with in their specific mandate. UNICEF has drawn increasingly attention to the rights of girl child and issue a report on Domestic violence against women and girls in 2000. UNIFEM administers the trust fund in respect of action to eliminate violence against women providing financial support for projects to eradicate gender based violence. The Statute of International Criminal Court adopted in Rome in June 1998 recognizes gender based crime and make provision for the application of gender based justice. The tribunal for Sierra Leone also addresses gender based crime and provide for gender-sensitive justice. Women's rights have also been enshrined in the United Nations protocol to prevent trafficking in persons (December 2002).

30 Constitutional provisions of Gender Equality: Article 14, Equality before Law; Article 15 (I), State may not discriminate against any citizen only on grounds of religion, race, caste or sex; Article 16 : Equality of opportunity in employment; Article 39(a) Equal right to livelihood; Article 39(d) : equal pay for equal work; Article 42 : State to ensure just and humane conditions of work and maternity relief; Article 51 (A)(e) : duty of citizens to renounce practices derogatory to the dignity of women; Article 243 D (3) : Reservation of 33% seats in every Panchayat for women; Article 343 (T) : Reservation of 33% seats for women in each Municipality.

31 Important Legislation Affecting Women: Hindu Marriage Act, 1955; The Special marriage Act, 1954; Hindu Succession Act, 1956 amended 1993; Hindu Adoption and Maintenance Act 1956; The Child Marriage Restraint (Amendment) Act, 1956; The Medical Termination of Pregnancy Act, 1971; The Dowry Prohibition Act, 1961; The Immoral Traffic (Prevention) Act, 1986; Indecent Representation of Women (Prohibition) Act, 1986; The Commission of Sati (Prevention) Act, 1987; Prenatal Diagnostic Technologies Act, 1994; Important legislation affecting Economic Activity of women: The Factories Act, 1948; Mines Act, 1952; Plantation Labour Act, 1951; The employees State Insurance Act, 1948; The Maternity Benefits Act, 1961; The Factories (Amendment) Act, 1976 ; The Equal Remuneration Act, 1976; The Contract Labour (Regulation and Abolition) Act, 1976.

Sexual violence apart from being a dehumanizing act is also an unlawful intrusion of the sanctity of a female. It is not merely a physical assault, but is destruction of the whole personality of the victim. Rape is a serious crime in the Indian penal law. About such crime it has aptly described by the apex court as deathless shame and the gravest crime against women dignity.<sup>33</sup> The Indian judiciary has shown a mixed trend over the years, while the period immediately after independence up to the seventies witnessed a conservative and narrow minded judicial system, the late eighties and nineties have seen the emergence of judicial activism which reached its heights in Mathura rape case.<sup>34</sup> Nevertheless instances of injustice being heaped on the victim have continued to persist.<sup>35</sup> In the matter of rape only 10 percent of rape cases were adjudicated fully by the court of law in India. The situation becomes more vulnerable when the Police facilitate the accused person or involve in the commission of crime.<sup>36</sup>

Prostitution in India is common, with an estimated more than 2.3 million prostitutes in the country, some 575,000 of who were children. Many indigenous tribal women were forced into sexual exploitation. Prostitutes began to demand legal rights, licenses especially in Mumbai, New Delhi, and Calcutta. The Government of India signed the South Asian Association for Regional Cooperation (SAARC) Convention on Prevention and Combating Trafficking in Women and Children for Prostitution.<sup>37</sup> Societal violence against women was a serious problem in India. In communal violence more than 850 people have been killed in communal

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32 Information available on the website: <http://ncrb.nic.in/CII2010/home.htm>. According to National Crime Record Bureau (NCRB) in its report Crime in India 2010, there are 22172 rape cases reported (conviction rate 26.6%), 9961 cases reported relating to sexual harassment of women (conviction rate 52%), 29795 cases relating to Kidnapping and Abduction of women and girls (conviction rate 28%), 40613 cases relating to Molestation (conviction rate 29.7%), 94041 cases relating to cruelty by husband and relatives (conviction rate 19.1%) in the year 2010.

33 *Bodhisattwa Gautam v. Subhra Chakraborty*, AIR 1996 SC 992; *Chairman Railway Board v. Chandrima Das*, AIR 2000 SC 988.

34 *Saakshi v Union of India* AIR 2004 SC 3599 (Mathura rape case); *Pratap Mishra v State of Orissa* AIR 1997 SC 1307; *Raju v State of Karnataka* AIR 1994 SC 222.

35 Dr. Dipa Dube, *Rape Law in India*, (New Delhi: Lexis Nexis Butterworths India, 2008) p.05.

36 India: Country Reports on Human Rights Practices (2002), Information available on the website: <http://www.state.gov/g/drl/rls/hrrpt/2002/18311.htm>.

37 The South Asian Association for Regional Cooperation (SAARC) adopted on 5 January 2002 the

violence in the state of Gujarat. A report revealed that Muslim women had been subjected to “unimaginable, inhuman, barbaric” sexual violence during the violence.<sup>38</sup> NHRC and NCW<sup>39</sup> had also taken note of this violence.

In dowry disputes, harassment to women sometimes ended in the woman’s death, which family members often tried to portray as a suicide or accident. In 2010 there were 8391 cases of dowry death reported in India. Despite the statute on Domestic violence,<sup>40</sup> it is still common and a serious problem in India. In a survey conducted by the National Family Health Survey 56 percent of the women said that domestic violence was justified. Such type of sentiments, combined with ineffective prosecution, made progress against domestic violence difficult. In 2010 according to NCRB statistics, there were 9961 cases of sexual harassment. The court has taken a serious note on issue of sexual harassment of working women and declared sexual harassment of working women at her place of work as amounting to violation of rights of gender equality and the right to life and liberty.<sup>41</sup> The apex court has accepted rule of judicial construction that regard must be had to international conventions and norms for construing domestic law when there is no inconsistency between them and there is a void in the domestic law.<sup>42</sup>

### Conclusion:

It is rather disturbing and unfortunate that in most of the developing nations

Convention on Preventing and Combating Trafficking in Women and Children for Prostitution.

38 Human Rights Watch WE HAVE NO ORDERS TO SAVE YOU”State Participation and Complicity in Communal Violence in Gujarat Human Rights Watch Report, Vol. 14, No. 3 (C) April 2002.

39 In 1992 the government setup NCW a statutory body<sup>40</sup> with a specific mandate to study and monitor all matter relating to the constitutional and legal safeguards provided for women. The NCW could take *suo moto* notice of the matter relating to deprivation of women’s rights, non implementation of laws in order to provide protection to women, National Human Rights Commission of India is an autonomous statutory body established on 12th October, 1993 under the provisions of The Protection of Human Rights Act, 1993.

40 The Protection of Women From Domestic Violence Act, 2005(Act. NO. 43 OF 2005)

41 Vishaka v. State of Rajasthan AIR 1997 SC 3011; Apparel Export Promotion Council v. A. K. Chopra, AIR 1999 SC 625.

42 LIC of India v. Consumer Education and Research Centre AIR 1995 SC 1811; Anjali v. State of West Bengal, AIR 1952 Cal. 825; Lakshmindra Swamiar v. Commissioner, H. R. E., AIR 1952 Mad. 613; Pannalal Bansilal Patil v. State of Andhra Pradesh AIR 1996 SC 1023; Air India Cabin Crew Assn v. Yeshaswinee Merchant AIR 2004 SC 187; Yusuf Abdul Aziz v. State of Maharashtra AIR 1954 SC 321; Vijay Lakshmi v. Punjab University AIR 2003 SC 3331; Rajesh Kumar Gupta v. State of UP AIR 2005 SC 2540; A.Ritu Mahajan v. Indian Oil Corporation (2009) 3 SCC 506; D. S. Grewal v. Vimmi Joshi(2009) 2 SCC 210; Government of Andhra Pradesh v. P. B.Vijay Kumar AIR 1995 SC 1648; M. C. Sharma v. Punjab University, Chandigarh AIR 1997 P&H 87.

across the world women does not enjoy the basic human rights. This is all due to gender inequality, direct and indirect discrimination, and violence against women in private or public life. To create women friendly environment there is a need to adopt a fundamental change in the thinking of the male dominating society. They are not a commodity and not in any way inferior to men. Education may be an effective tool to achieve equal socio –economic status in the society. Gender sensitive programme for judicial and law enforcement officials and other public officials is helpful to protect and promote human rights of women. All the personal laws need to be brought within the scope of Uniform Civil Code to prevent any discrimination based on religion. Tradition, customs and such religious practices which cause discrimination and violence against women must be banned by the states. Formation of women's groups to minimize isolation of women and increase their power individually and collectively may be helpful for women empowerment. Mass media can play an important role to promote gender equality and to promote human rights of women. The time has come to make world more women friendly, protect the human rights of women and to raise our voices against the discrimination of women because the welfare of the world, the development of any country, and the cause of peace requires the maximum participation of women on equal terms with men in all fields.

