



## POVERTY AND ITS IMPACT ON VIOLATION OF WOMEN'S HUMAN RIGHTS

Sanjay Kumar

Associate Professor in Economics, R.K. shahi govt. Degree College, Patherdewa. Deoria (UP) India

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**Abstract:** *As a bird cannot fly if its wings are not equal in strength so a country cannot forgo ahead if one is discriminated against the other. But it is a fact that a man is well placed in socioeconomic set up in comparison to a woman inspite of assurances of the constitution of India that there must not be any biases in favour of either of the sexes in respect of social, economic and all other spheres. As Gandhi ji rightly pointed out Woman is entitled to a supreme place in her own sphere of activity as man is in his WOMEN'S SOCIO-ECONOMIC HUMAN RIGHTS VIOLATIONS Economic hardship is a condition that many women face, because of discrimination against their gender. While men receive priority over women in terms of education, employment and salaries, a large number of women are forced to be satisfied with less or no education opportunities, lower income and fewer responsibilities at work.*

**Key Words:** increase, concentration, M vacancies, associated, corresponding, either, interstitials.

Women who migrate to other countries in search of better opportunities are often exploited and made to work at jobs of inferior status and incomes, as compared to male migrant workers. A vast number of women work outside the formal sector, such as in their homes, and other informal areas, and receive little or no pay and recognition for doing so. In addition to the economic hardship issue for women who stay at home and tend to their families, there are other related issues that arise, namely, their vulnerability to violence, poverty, malnutrition, disease and denial of education. Women are marginalized and this results in their suffering of gross human rights abuses. Trafficking in women and forced prostitution are other situations that result from women trying to better their poor economic conditions.

### WOMEN'S SOCIO-ECONOMIC HUMAN RIGHTS VIOLATIONS: Some Exmple

- \* In US corporation owned maquiladora factories on the US-Mexican border, women toil hard and long, only to earn a pittance far below the living wage, which is insufficient to make ends meet. Their wages are between US \$30 to \$40 per week.
- \* Women make up two-thirds of the unpaid labour force and their labour is worth US \$11 trillion

per year. Women account for more than 60 per cent of the agricultural labour force in some African countries.

\* Annually, 4 million people around the world are trafficked, 500,000 women are trafficked into Western Europe.

\* Every year, out of sheer poverty, Nepali villagers sell 10,000 of their women into prostitution in India and other countries,

\* It has been reported that annually, over 1 million female children are forced into prostitution, most of them in Asia.

**SPECIFIC CONSIDERATIONS-** In search of better lives, many women and girls, especially from developing countries, leave their homes and migrate elsewhere. The only jobs that many of these women receive are domestic help positions, which confine them to the houses they work in. Because of the nature of their work, they are subject to limitations on their workplaces/homes by their employers. Many suffer silently, either because they are ashamed, or out of fear of losing their jobs, and perhaps having to move back to their home countries, should they report or make public the incidents. Also differences of language in different countries sometimes pose a communication

Corresponding Author

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problem, and further isolate the women.

Often, ethnicity also plays a role in the socio-economic discrimination and violence that women face. Many indigenous groups are socially marginalized by the dominant social group. For example, as countries advance, they adopt laws which do not necessarily take into account the customary laws and norms of ethnic/indigenous groups therein. Some indigenous groups may have their own sanctions against domestic violence, which are not recognized by national laws; the irony is that these national laws may not have any, or as effective, an impact on penalising domestic violence as the customary laws. This results in women from indigenous groups being denied the recourse they would have had if their own norms been accorded national respect. This is despite the UN International Covenant on Civil and Political Rights, which states that ethnic, religious and linguistic minorities should not be denied the rights to enjoy their own culture, and religion.

Hundreds of thousands of women and girls in the world are bought or sold into marriage, prostitution or Special Rapporteur on Violence Against Women on the issue of trafficking and forced prostitution of women in Poland reported a strong correlation employment and trafficking, with low levels of education also factoring in. It was reported therein that victims of trafficking usually come from towns and villages hit the hardest by unemployment. In Poland alone, 54 per cent of the unemployed are women.

**ADDRESSING THE PROBLEM-** At the international level, the 1949 convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others provides that parties to the Convention are to penalize persons who are involved in prostituting other persons. However, it has been recognized that the problem with this convention is the absence of an implementation mechanism. Further, Article 8 of the UN International Covenant on Civil and

Political Rights prohibits slavery in its forms. The Universal Declaration of Human Rights ensures to all people equal work, a standard of living, adequate to ensure health, food, housing and medical care for her/him self and her/his family. However, this is not internationally complied with. In some countries, such as Bangladesh and India for instance. Patriarchal oppression is a strong force that women have to contend with in the workplace. Women are economically exploited and earn lower incomes than their male counterparts doing the same work. Further, there is no provision for rest, for medical assistance, for maternity benefits, childcare or for legal protection. Women are silenced into protesting these conditions, for fear of losing their jobs and income. Losing their jobs

would perhaps mean increased violence in the home, or for women who single-handedly support their families, it would mean poverty and despair. Human rights violations and violence against women are more acute in countries with low economic development. Women with lower incomes have less ability to resist abuse, as they may be thrown out of their jobs and left with nothing.

The Beijing Declaration and Platform for Action takes note of the feminization of poverty and that the number of women living in poverty compares disproportionately with the number of men living in poverty, and that poverty makes women more vulnerable to sexual violence. The Platform recommends that governments address the problem by adopting economic policies and development strategies that address the needs of women in poverty, and that protect them against violence and exploitation.

The implementation of the following strategies is necessary to work towards putting an end to socio-economic crimes against women.

**Increased Co-operation at the Regional and International Levels :** International and regional co-operation should extend to police forces in the areas of information exchange on cases, training, police practice and evidence gathering. At



the level of the judiciary, the exchange of information with respect to the interpretation of substantive law, evidentiary practice and sentencing, would be useful to ensure that information could be shared and acted upon. With respect to international trafficking, the special Rapporteur recommends that Interpol should set up a special unit specifically designed to deal with the problem of trafficking, by assisting States in this regard. The Special Rapporteur also recommends that national immigration policies should protect the rights of women victims of trafficking and should ensure procedures to bring to trail traffickers of women.

\* Research is crucial to assess the multiple negative effects of structural adjustments, economic crises, unemployment, and its impact on violence against women. Additional research is needed on the growing phenomenon of human trafficking, in which women are treated as commodities in the global markets, stripped of power, reduced to work in slave-like conditions, and are unable to exercise their basic human rights.

\* Enactment and/or enforcement of the law: There is a need to work to effective enforcement of international labour and human rights treaties, and to study ways in which they can be revised to strengthen measures to protect women from abuse. In addition to these strategies, what is also crucial to the eradication of socio-economic crimes against women is the co-operation of governments, educators, policy-makers, law enforcement personnel and society at large.

**HUMAN RIGHTS ABUSE IN THE FAMILY-** Violence is a continuum in the life cycle of a woman, right from the assault of young girls by a family member or incest, to the ill-treatment of elderly women. Nations of security and safety which traditionally have been synonymous with the concept of family, no longer hold true for a number of women and girls around the world. Research has shown that for millions of women, their homes are dens of terror, and that a huge chunk of the violence that is perpetrated against women is committed by

their own family members. Human rights abuse within the family takes different shapes, such as domestic violence, marital rape, and dowry-related violence. Such violence cuts across income, class and culture. Crimes that occur in the family are rarely reported when it is too late to change the situation, many victims do not speak out, in fear of retaliation with further violence, while for many others, it is a question of losing their pride and dishonouring the family.

Domestic violence, as popularly understood, is the physical, sexual and psychological abuse of a women by her intimate partner. Within the family, women are raped by their own husbands or partners. Tradition has a role to play as well. In some countries, women are beaten and killed over the customary dowry demanded by their spouses and in-laws. These practices offend a woman's inherent dignity and liberty and security of her person.

Violence against women in the family stems from the concept of male superiority and power. In most countries, the male has been historically and traditionally considered the provider and more powerful figure, and that is the basis for the exercise of control over the female. For many years, the State and its agents condoned this violence, reasoning that family matters fell within the private sphere of individuals lives, and therefore, it was not for the State to interfere and impose regulation. In recent times, there has been a shift in this attitude of State non-interference, and this is evidenced by the progressive work of the international community in the area of violence against women.

The UN General Assembly adopted the Declaration on the Elimination of Violence Against Women, which defined 'violence against women' as meaning.

'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'.

The 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) provides that the scope of discrimination includes gender-based violence. CEDAW requires States to regulate private gender-based violence, or, in other words, human rights abuse in the family. The Beijing Platform for Action also highlights the need for governments to ratify international instruments relating to violence against women.

**FAMILY ABUSE AGAINST WOMEN:  
SOME EXAMPLES.**

**Family abuse against women is widespread:**

\* In India, dowry-related violence claims the lives of over 5000 women each year.<sup>8</sup>

\* Wives who are allegedly unfaithful or disobedient to their husbands, are killed in some countries in the Middle East and Latin America on the grounds of 'honour', and the killers are exonerated.

\* The Report of the Special Reporter on Violence against Women on the issue of domestic violence in Brazil makes note of the establishment of a Parliamentary Commission to investigate violence against women in Brazil in 1993, this commission found that 88.8 per cent of the female victims of physical violence were housewives. The Report notes statistics which show that in 1995, 65 to 70 per cent of 23,000 women reported victims of violence were victims of domestic violence. In Brazil, one woman is beaten by man every four minutes, but only 2 per cent of the convicts actually serve sentences.

\* In Kenya, 42 per cent of women in the Kissi district reported that they were regularly beaten in their homes.

\* 73 per cent of women in emergency rooms in Chile who were in for treatment for assault-related injuries had been assaulted by family members. 40 per cent of Chilean women reported that abuse against them increased during pregnancy.

\* It is important to take note of the fact that the occurrence of violence against women in the

family context is not limited to developing countries. Industrialized countries also suffer from this serious problem.

\* In the United States, one woman is physically abused by her intimate partner every nine seconds. Studies in the US have shown that one-third of battered women in the country were affected by serious depression. Data collected by the United Nations Statistical Office indicates that one out of four women in the North has been hit by an intimate partner.

\* In the UK, one woman in ten is severely beaten by an intimate partner.

\* Studies in Canada show that women are more likely to be murdered by an intimate partner than by a stranger.

**ADDRESSING THE PROBLEM-** The international community has been instrumental in working towards the prevention and elimination of violence directed at women. The issue of wife abuse was recognized as problematic at the 1975 Mexico International Women's year World Conference. It was also put forward that women would benefit from more family counseling and more responsive family courts. At the Second and Third World conferences on Women in Copenhagen (1980) and Nairobi (1985), domestic violence was recognized as an offence to human dignity and an obstacle to equality. The first United Nations resolutions on violence against women was passed in 1985, this advocated combating domestic violence through concerted action within and outside the UN system. The World Conference on Human Rights in Vienna in 1993 further increased international attention on this issue by bringing women's rights onto the conference agenda. The most important outcome of the Vienna Conference was the shift of the phenomenon of violence against women to the public sphere, making States responsible for human rights violation by private actors. Thus, States can be held accountable for failure to meet international obligations even when the violations arise from the conduct of individuals within their families. The



1995 Beijing Platform of Action Takes this further and calls upon governments to enact domestic legislation to penalize and prevent violence against women and to monitor its implementation. Eradicating domestic violence calls for a combination of strategies to be applied over short, medium and long term periods of time, and these strategies include:

\* Enactment and/or enforcement of the law: Drafting adequate laws to protect women and working towards their full and effective enforcement, is a critical first step towards deterring perpetrators, and providing women with legal protection and an avenue for seeking remedies in the event they are abused.

\* Availability of Services for survivors of violence, including safe shelters, health care, psychological and legal counseling.

\* Research of the prevalence of the problem, its different manifestations, and its harmful consequences to women, and to society as a whole. Concrete data is needed as a tool to galvanize public opinion on the need to take action for change. Research that provides an understanding of the problem is a sound basis for developing effective remedies.

\* Sensitization Training for law enforcement officials, legal and health professionals is needed so that they may respond appropriately, and provide adequate counseling to women survivors of abuse in the family. Such training is also necessary for women's groups to raise their awareness of their right to live free from violence, as well as for men, as they play a critical role in the eradication of violence against their wives and daughters.

\* Education is needed at the primary and secondary levels to uproot discrimination against women and girls, and reverse damaging stereotypes associated with physical and emotional abuse.

\* Public awareness rising through campaigns aimed at educating the public about violence against women, and the need to eradicate

it. The active participation of all actors in society, namely, governments, educators, academics, civil society, the corporate and public sectors, community leaders, women's group and others, is required in order to work towards the elimination of violence against women in the family, as well as violence against women as a whole.

#### **GIRL'S RIGHTS**

\* Societies world-wide continue to place girls in peril that is so routine is virtually invisible. In countries of every economic and social profile, gender inequity is deeply ingrained in girl's lives from birth-or even earlier. A wide range of violent or discriminatory practices compromise girl's health and shrink their chances for productive development. This is not random violence; the risk factor is being female.

\* In some parts of the world, including China, India and the Republic of Korea, access to amniocentesis and ultrasound techniques to determine the sex of the fetus are sufficiently widespread to allow selective abortion and the consequent skewing of male-female sex ratios. This practice is rooted in and the considerable costs of

Marrying off a daughter. Some countries, including China, are beginning to enact legislation to limit this practice.

\* Infanticide is believed to account, in part, for distorted male-female sex ratios in many developing countries. One study in a remote region of Southern India found that 58 per cent of deaths among female infants were due to infanticide, usually within seven days of birth.

\* Female genital mutilation-the ritual cutting and removal of all or part of the clitoris and other external genitalia-affects an estimated two million girls and women each year, mainly in Africa. Most commonly, girls undergo this ritual between the ages of four and eight.

\* Nurture discrimination is the greatest cause of sickness and death among females between birth and age 5. According to the world Health Organization, girls in many developing countries



receive less nourishment than boys. They are breast-fed for shorter periods of time, receive fewer calories, and suffer from malnutrition (leading to death or to mental or physical disability) at higher rates than boys. In rural Bangladesh, malnutrition has been found to be almost three times more common among girls than boys

\* Girls also have less access to health care. Studies show boys outnumbering girls at diarrhoeal treatment centers, although both sexes suffer from diarrhoea with equal frequency. For all of these reasons, the mortality rate among girls is one to four times higher than among boys in 43 of the 45 countries for which data are available.

\* Early marriage (typically arranged) compromises the health and autonomy of millions of young girls. In many parts of the developing world, significant numbers of brides are younger than 15. (Many countries have formally adopted a legal minimum age for marriage above 15, but only in cases where parents withhold consent). The minimum marriageable age for women in many countries-including Chile, Ecuador, Panama, Paraguay, Sri Lanka, and Venezuela-is 12. In many other countries, legislation has set the minimum age at 16 or above, but traditional practices often persist. Early marriage leads to early maternity, further undermining girls health. The World Health Organization recently reported that in parts of Asia, maternal mortality is five times higher among girls aged 10 to 14 than among women aged 20 to 24. Because a young woman's pelvis may be too narrow for childbirth, obstructed labor is among the serious risks of early pregnancy, this is further complicated for women who have undergone female genital mutilation, which doubles the risk of maternal death. Early maternity also deprives girls of education, foreclosing their hopes for future employment.

\* Girls are frequent targets of sexual abuse, in part because they lack the status and the education to advocate for themselves, especially in negotiating abstinence and protected sex. There have been few

population-based studies on the sexual abuse of children and adolescents, however, those that exist suggest that it is widespread. There is also substantial indirect evidence of the sexual abuse of children, including alarming numbers of very young girls being treated for sexually transmitted diseases (STDs). For example, a 1988 study conducted in Zaria, Nigeria, found that 16 per cent of female patients treated for STDs were under age 5.

\* Girls are particularly vulnerable to rape, including gang rape, in areas where HIV infection is widespread. This reflects the conviction among many adult men that will have less risk of HIV exposure if they engage in sexual intercourse with girls and very young women. Increasing numbers of girls are contracting HIV and transmitting the virus to their children. World Health Organization's prediction of 10 million 'AIDS orphans' by the year 2000 has shocked the international community.

\* For the same reason, the demand for every-younger child prostitutes is growing. According to the 1994 Human Development Report, conservative estimates put the combined number of child prostitutes in the Philippines, Sri Lanka and Thailand at half a million. Many child prostitutes become entrapped in prostitution while escaping abuse at home. A study conducted in Bolivia found that 79 per cent of girls said they became prostitutes after running away from homes where they were victims of incest and rape.

These practices have a devastating impact on girl's health, and place them at great risk throughout childhood. Moreover, those who do survive to adulthood can look forward to fewer educational and employment opportunities than their brothers. Families invest in sons in many parts of the world because they look to them as potential earners as well as sources of future support, daughters, often considered economic liabilities, nevertheless provide household and workplace labour so valuable that many families cannot spare them for the education that would so drastically





improve their economic and social status.

Child labour is often veiled in industrial countries where, as elsewhere, it is subsumed into basic culture. For example, girls are being enlisted as almost full-time caretakers for younger siblings while their mothers work outside the home to support the family or attend classes in an attempt to improve their earning power. UNICEF estimates that 400,000 children, most of them girls, labour in domestic work in New Delhi alone.

The United Nations Convention on the Rights of the child and the International Convention on the Elimination of All Forms of discrimination against Women both affirm social and economic rights as well as civil and political rights as human rights, both assert that the future life of nay nation depends on promoting and protecting its children. CEDAW recognizes that no society can thrive in the absence of gender equity, and acknowledges the need for temporary special measures to achieve it.

B e c a u s e discrimination against female children is so pervasive and so destructive to the social order, strengthening girls rights offers a critical opportunity to enhance not only individual lives, but also the lives of nations. Raising the needs of girls high on the international human rights agenda represents an important step toward carrying out one of CEDAW's most powerful and urgent mandates :'To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on Stereotyped roles for men and women (CEDAW, Article 5a).

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