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Heteronormativity

HIV Prevalence in Pakistan

Human Milk Feeding

Human Rights

Human Rights Accountability for Advancement of Gender Equality and Reproductive Justice in the Sustainable Development Agenda

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Global Context

Since Cairo's International Conference on Population and Development in 1994, several countries have developed innovative strategies and programs to advance the sexual and reproductive health and rights (SRHR) agenda leading to real and substantial accomplishments (ICPD Program of Action 1994). In the last decades, SRHR was recognized by states through the adoption of international consensus document. SRHR embrace human rights that are already recognized in international human rights treaties and conventions, and they have been incorporated in Constitutions, health policies, programs, and domestic

legislation. SRHR imply that individuals should have control over their bodies and, in turn, live their lives, be healthy, and have sexual and reproductive autonomy and that they can enjoy their right to be free from injuries and preventable maternal deaths. SRHR also requires entitlements to health facilities, goods, and services as well as a broad range of social determinants; it also requires changes in laws and policies as well as in social, cultural, and institutional practices to be fully protected and realized (Yamin and El Falb 2012).

In 1995, the Beijing Declaration and Platform for Action represented a significant step forward in stipulating that women's human rights include "their right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence" (United Nations 2005). Ten years later, at the 2005 Millennium Development Goals' Summit in New York, world leaders acknowledged that "universal access to reproductive health services by 2015" is necessary to improve maternal health (UN Millennium Development Goals Report 2015). At that time, governments believed that MDG 5 could only be met if the majority of women had access to key interventions, including prenatal care, skilled birth attendants, safe and legal abortion services, and postpartum services (UN Millennium Project Task Force on Child Health and Maternal Health 2005).

Despite to that, since then, abuses of human rights have been occurring in many countries in the delivery of sexual and reproductive health services. Women and adolescents living in poverty in rural and other isolated areas, without having the information, means, and ability to make autonomous decisions about their sexuality and life plans, or belonging to disenfranchised groups, suffer far more adverse health outcomes as compared to advantaged groups such as preventable maternal death causes or injuries. However, the growth of conservative nationalism agenda against SRHR, including women's right to decide when and if to have children and to go safely through pregnancy, abortion, and childbirth, has made more challenging its prioritization by governments in the context of the 2030 Sustainable Development Agenda. Anti-rights engagement in the international arena operates to obstacle undercut the operation of human rights systems (AWID 2017). Women's sexual reproductive health rights have been at the center of conservative attacks in many UN global and regional forums.

On the other side, effective human rights mechanisms to hold governments accountable, as well as human rights-based health and population policies, domestic laws, and health practices, are necessary conditions for people's realization and enjoyment of the highest standard of health and well-being, especially more vulnerable and marginalized groups at national level. In the last decades, considerable conceptual progress has been made in several areas, most notably in General Recommendations and Concluding Observations issued by Human Rights Treaty Monitoring Bodies and Human Rights Council resolutions on maternal mortality and morbidity (UN Human Rights Council Resolutions 11/2 2009; 18/2 2011; UN OHCHR Technical Guidance 2012).

In the last decades, multiple human rights-based approaches to legal and policy frameworks have been adopted by different UN agencies, international organizations, and governments as an effort to implement international human rights principles in national and local contexts (Yamin 2017). The interpretations made by different human rights bodies have served the dual purpose of ensuring accountability and also clarifying the nature and extent of states' obligations to guarantee sexual and reproductive health rights. At the national level too, increased litigation and greater involvement by human rights mechanisms have contributed to promotion and protection of these rights. Human rights accountability is a concept increasingly used in the area of maternal health to address or prevent human rights violations during health care. The framework requires looking beyond violations and punishment to individuals to address institutional and systemic factors that reflect a pattern of violations affecting certain groups of population (Yamin 2010).

The human rights approach to maternal morbidity and mortality makes it possible to hold health authorities, managers, health professionals,

and government agencies accountable for violations of rights in each preventable individual case of maternal death. In addition to the search for individual accountability for violations, the theoretical framework of human rights can be used to design and to monitor the implementation of public policies through progress indicators and for the evaluation of maternal health policies and programs. The definition of these human rights criteria should guide the practice of health professionals. Also, it enables the measurement on whether and to what extent there are effective and effective policies to ensure equal access to health for all women without discrimination, including women in contexts of vulnerability.

The application of human rights-based approaches to policies and programs looks at people's needs in their specific contexts instead of looking at certain health outcome or health condition. Its goal is the enjoyment of every woman of a live with dignity and not just the reduction of rates of preventable deaths in statistic and quantitative figures in general (Yamin 2017).

The fact that only women can become pregnant and have to face the risk of dying from maternal mortality in pregnancy, childbirth, and puerperium reveals gender inequality in the context of accessibility to good quality of health care According to the UN Committee on the Elimination of Discrimination Against Women, women have their own biological characteristics, and only women become pregnant. Therefore, states should ensure women's right to safe motherhood including access to safe and equitable emergency obstetric care services, during pregnancy, childbirth, and the puerperium (CEDAW General Recommendation No. 24 1999).

In 2011, the United Nations Human Rights Council resolution on preventable maternal mortality and morbidity and human rights recognized that maternal mortality and morbidity are pressing human rights concerns and that addressing these issues requires effective protection of the human rights of women and girls (UN Human Rights Council Resolution 18/2 A/HRC/18/L.8). This global decision to address the issue not only from a public health but also a human rights perspective is significant and necessary since

maternal death victims are mostly low-income, non-white, single mothers, living in the poor regions of their countries. These conditions are the risk factors for preventable deaths and injuries and affect women's human rights to gender equality and nondiscrimination, as well as their ability to exercise other human rights related to reproductive self-determination (Cook et al. 2001).

In 2000, the international community agreed to Millennium Development Goal 5 as to "Improve maternal health" and is measured against a target to "Reduce by three quarters, between 1990 and 2015, the maternal mortality ratio" and to "Achieve, by 2015, universal access to reproductive health". Brazil, among 189 countries, signed a commitment in 2000 to meet the so-called Eight Millennium Development Goals (MDGs) by the year 2015. At the global level, despite some progress after the expiration of Millennium Development Goals in 2015, challenges still persisted and remained slow in some regions and countries (Lule et al. 2005).

A new global renewed attention has been given to state's commitments to ensure gender equality and address preventable maternal mortality protecting women's human right to safe motherhood. The human rights-based approach to address preventable maternal mortality was developed in the *United Nations Technical Guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce preventable maternal morbidity and mortality* (UN OHCHR Technical Guidance 2012). This tool is useful to promote accountability and civil society engagement at different levels in policy cycle.

In 2015, the world adopted 17 Sustainable Development Goals (SDGs) as part of the UN 2030 Sustainable Development (UN, Transforming our World 2015). The Sustainable Development Goals are interdependent and include, among other development and human rights issues, access to good health and well-being for people, quality education, gender equality, clean water, sanitation, affordable and clean energy, infrastructure, reduced inequalities, sustainable cities and communities, climate change, social justice, and strong institutions. The Goal 5 on

gender equality and empowerment of all women and girls and its target on achieving universal access to sexual and reproductive health and rights (SRHR) is of relevance for health and lives of pregnant women. Without being able to make informed choices and determine when to have children and the spacing between pregnancies as well as on how to experience safe and voluntary pregnancy, abortion, and childbirth, free from discrimination, coercion, and violence, women cannot exercise fully their human rights. Since the International Conference on Population and Development (ICPD Program of Action 1994; UN Report ICDP 1994), international community reached consensus on key population and development objectives and goals, including the reduction of maternal mortality and the adoption of a gender equality and human rights-based approach to population, health, and development policies. Almost 25 years after this consensus, international community has recognized preventable maternal mortality as a human rights violation and that human rights-based approach is necessary to the achievement of achieve equal nondiscriminatory health care and to ensure women's access to good quality of care during pregnancy. It is also useful to understand the social injustice aspect in each maternal death.

The principle of accountability is central to hold governments accountable for a social injustice behind preventable maternal death.

This article argues that human rights framework is strategic to monitor and foster effective implementation of the UN 2030 Sustainable Development agenda, as it underscores the need to develop an enabling environment through practices, policies, and laws for individuals and groups who face discrimination, social exclusion, and marginalization so that no one is left behind. According to this framework, population groups and individuals should have access to public information, voice their concerns without fear of reprisals, and can seek remedies when their rights are violated (UNFPA 2013). The centrality of the adoption of human rights-based approach to address social injustice and violations to economic and social rights due to preventable maternal mortality and discrimination in access to health care is illustrated in the case of *Alyne da Silva Pimentel case* vs. *Brazil's*, presented before the Committee on the Elimination of Discrimination Against Women (CEDAW Committee) by the nongovernmental organizations Center of Reproductive Rights and Advocacy Human Rights and Citizenship Litigation in 2007 (Alyne da Silva Pimentel v. Brazil (Communication No. 17/2008)). The case is considered a best practice in the use of human rights approach toward achieving gender equality and equitable access to maternal health.

Maternal Mortality and Human Rights

Although great progress has been made in some countries and for selected programs, the availability of comprehensive and high-quality reproductive health services remains an unrealized goal in many settings (Lule et al. 2005). Maternal mortality rates have been declining globally, but inequalities persist between and within countries and regions, and the fact that many of the leading causes of premature death and disability for women in birth are preventable is an evidence of numerous violations of women's human rights (Alkema et al. 2004). Thus the CEDAW Committee in its 2011 landmark decision in the Alyne case recognized that high rates of maternal mortality and morbidity are a consequence of gender inequality, intersectional and multiple discrimination, health inequities, and the state's failure to comply with its international human rights obligations to respect, protect, and fulfill several of women's human rights.

The recognition of preventable morbidity and maternal mortality as consequence of a series of human rights violations is a new political paradigm. In previous years, the achievement of maternal mortality reduction was addressed at the UN Millennium Development Agenda as a public health outcome. Moreover, in some of the developing countries, progress was slow regarding the achievement of the Millennium Development Goal (MDG) 5 – reducing maternal mortality and achieving universal access to reproductive health. This is explicable in terms of the relatively low value placed by states on the lives of women and girls and their limited voice in

setting public priorities. The MDG targets related to Goal 5 included Target 5.A, reducing the maternal mortality ratio by three quarters from 1990 to 2015, and Target 5.B, universal access to reproductive health by 2015. After years, only half of pregnant women in developing regions received the recommended minimum of 4 antenatal care visits, and maternal mortality ratio in the developing regions was found to be 14 times higher than in the developed regions (UN Millennium Development Goals Report 2015).

In a society that endows maternity, but not women's lives, with sacred social value, high rates of maternal death from preventable causes continue to be accepted as natural or destined. Greater effort is needed at the global and national levels to hold states accountable for preventable maternal deaths and for violations of mothers' human rights that states are under obligation to prevent.

In recent decades, human rights mechanisms have been used to hold governments accountable for such violations as well as to foster human rights-based health policies, domestic laws, and health practices, all of which are considered necessary for the realization and enjoyment of high standards of health and well-being by all individuals, including those who belong to marginalized groups. Important advances have been made in this regard, most notably from the General Recommendations and Concluding Observations from Human Rights Treaty Monitoring Bodies as well as Human Rights Council resolutions on maternal mortality and morbidity (OHRC Resolutions 11/8 2009; 18/2 2011; UN OHCHR, Technical Guidance 2012). For example, states' obligations to prevent harm to pregnant women were interpreted as not subject to progressive realization but take effect immediately (CEDAW Committee General Recommendation No. 24 1999).

More recently, negligence and failure to respect, to prevent violations of, and to protect women's rights to safe motherhood on the part of some states have increasingly been interpreted as a form of gender-based violence. This form of violence takes place when social, health systems, institutions, and structures of power oppress and discriminate against women, preventing them access to health care, government support, justice, or other rights (Hessini and Galli 2015). The Committee on Economic, Social and Cultural Rights, in its General Comment 22 on the right to sexual and reproductive health, has established that:

> lack of emergency obstetric care services or denial of abortion often lead to maternal mortality and morbidity, which in turn constitutes a violation of the right to life or security, and in certain circumstances can amount to torture or cruel, inhuman or degrading treatment. (UN Committee on Economic Social Cultural Rights, General Comment 22 2016, para 10)

The adoption of human rights-based approaches to preventable maternal mortality and injury requires looking beyond violations and punishment to the individuals involved while giving greater attention to institutional and systemic factors behind the pattern of failures that disproportionately affect marginalized populations (Yamin 2010). These approaches, then, are designed to hold governmental agencies accountable for violations of rights in every individual case of preventable maternal death as well as to address the systemic nature of these violations in the context of a dysfunctional health-care system that fails to protect women's civil, political, social, and economic rights.

In addition to the seek health system's accountability for violations, the human rights-based framework can be useful to monitor implementation and improve maternal health policies and programs to determine whether the state is de facto protecting their right to safe motherhood and right to live with dignity when they seek health services during pregnancy. For example, human rights indicators should inform the allocation of resources in order to ensure that all women have equal access to health care moving beyond traditional indicators based on health outcomes.

The application of human rights-based approaches to policies and programs involves looking at people's needs in the specific contexts in which they live rather than at various health targets or health conditions. The goal is for every woman to enjoy a dignified life, above beyond

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reducing the statistically determined rates of preventable deaths (Yamin and Duger 2016). Thus the ultimate outcome for the successful adoption of a human rights-based approach to preventable maternal mortality is not the reduction of maternal mortality rate per se but rather greater utilization of health-care services by women and girls so that they can have equal access to health care without discrimination and exercise their rights to sexual reproductive health rights and agency over their bodies and lives. Such an outcome requires women's control over their own sexuality, which involves their rights to information, contraception, timely and high-quality emergency obstetric care, and safe and legal abortion (Yamin and Canton 2014). These complementary human rights-based approaches to legal and policy frameworks that address women's right to safe motherhood have been developed by various UN agencies, international organizations, and governments as part of an effort to promote international human rights principles in national and local contexts (Yamin 2017).

The United Nations Human Rights Council has issued its first resolution recognizing preventable maternal mortality and morbidity in 2009 as pressing human rights concerns and urging the effective protection of the rights of women and girls. This global commitment to address the issue from the perspectives of both public health and human rights is especially significant and necessary because those who die in childbirth tend to be low-income, non-white, and single residents of the poor regions of the countries in which they live. These risk factors can determine whether women are able to exercise their human rights relating to reproductive self-determination (UN Human Rights Council Resolution 2011).

Over time the development of human rights-based approaches to maternal health has evolved from developing the meaning of human rights applied to preventable maternal mortality contained in resolutions, declarations, and fact-finding reports to, more recently, advancing the strategic use of human rights-based approach to policies and laws through constitutional litigation. This is of relevance since domestic and international tribunals have the capacity to elaborate

legally binding standards of performance from the interpretation of individual cases (Kismodi et al. 2012), thereby generating legal accountability (Cook and Dickens 2012).

In September 2015, UN member states adopted the 2030 Sustainable Development Agenda, and the reduction of maternal mortality is a key component of this agenda, under goal number three: states have agreed to make every effort both to reduce global maternal mortality rates to no more than 70 deaths per 100,000 live births by 2030 and to ensure universal access to family planning (UN General Assembly 2015). In recent decades, domestic litigation and greater involvement by global UN agencies and regional human rights bodies have contributed to the promotion and protection of the right to safe motherhood. Nevertheless, despite these major advances in global-level policies, abuses of human rights persist in many countries and regions where women who belong to disenfranchised groups face remain at high risk of preventable maternal death or injuries compared with women who belong to advantaged groups.

The Facts on the Case

Alyne, a 28-year-old, married black woman living in the city of Belford Roxo in the state of Rio de Janeiro, Brazil, had a 5-year-old daughter and was in the 6th month of her second pregnancy when she began to experience severe nausea and abdominal pain. She therefore sought health care in a health clinic, where the doctor prescribed medicine for her nausea, vaginal cream, and vitamins and scheduled a follow-up examination.

Alyne's symptoms worsened, however, and she returned to the clinic 2 days later. There she was examined by another doctor, who found no fetal heartbeat. Labor was accordingly induced, and Alyne gave birth to a stillborn fetus. Fourteen hours later, she underwent surgery to remove the remains of the placenta, but her condition deteriorated; she suffered a severe hemorrhage, had low blood pressure, and was disoriented. The doctors at that point decided to transfer her to the better-equipped general hospital in nearby Nova Iguaçu, but at first no ambulance was available. After several hours of waiting, Alyne was at length

transferred to the new facility, but without her medical records.

When she arrived at the general hospital, Alyne had to be resuscitated, and her blood pressure was zero. She was then placed in a hallway to await treatment, since no bed was available, where she passed away on 16 November 2001. On 11 February 2003, her family filed a civil damage claim asking for reparations that is currently pending in court.

In August 2011, the CEDAW Committee issued a decision establishing that the Brazilian state failed to protect Alyne's human right to safe motherhood and violated her right to life, to heath, and to nondiscrimination based on gender, race, and socioeconomic status since she was an afro descendent living in a poor urban area in the state of Rio de Janeiro (CEDAW Committee 2011).

Key Aspects of CEDAW's Decision

In November 2007, a case on behalf of Alyne da Silva Pimentel against the Brazilian government was presented before the Committee for the Elimination of Violence Against Women (the CEDAW Committee) by the Citizens' Advocacy for Human Rights (ADVOCACI) and the Center for Reproductive Rights (CRR). This was the first case dealing with preventable maternal death brought by a treaty-monitoring body of the United Nations. The CEDAW Committee monitors and supervises states' compliance with human rights obligations under the Convention for the Elimination of All Forms of Discrimination Against Women (the CEDAW Convention), which the Brazilian state ratified on 1 February 1984.

In its 2011 decision, CEDAW Committee criticized the Brazilian state for violating the human rights of Alyne and her family expressed in Article 12 (access to health), Article 2 (c) (access to justice), and Article 2 (e) (due diligence in regulating the activities of private health services) in the CEDAW Convention. The case also marked the first time that a United Nations human rights treaty-monitoring body received an individual case against the Brazilian government for failure to comply with its international human rights

obligations. Also, it was the first individual case on preventable maternal mortality presented at the UN global human rights system of protection.

Since 2011, the case has been used by advocates in their efforts for advancing reproductive rights in Brazil, Latin America, and worldwide. The case is of particular significance for the global recognition of the right of all women to safe motherhood which includes access to affordable, high-quality essential health services (Cook and Dickens 2009). The case has also been pointed to by black feminist organizations and activists as exemplary of the persistent institutional racism and intersectional discrimination in reproductive health care against minority pregnant women living in such poor urban areas as *Baixada Fluminense* in the state of Rio de Janeiro. For these women, maternal death has long been considered an act of God, divine will, rather than a consequence of the lack of equal access to care and therefore a matter of reproductive justice. CEDAW's decision in this case has accordingly served to challenge this normalized and entrenched social norm paradigm (Cook 2013).

In its landmark decision, the CEDAW Committee went beyond recommending to states to address individual reparations to determine state's human obligations to remedy health inequities developing human rights standards for laws, policies, and evidence-based health practices. These measures were focused on how to advance the right to safe motherhood in the Brazilian's public health system for black women who have much more risk to face preventable maternal mortality than white women (Martins 2006). They are likely to receive poor quality of care during the pregnancy-puerperal cycle and are thus at greater risk of mortality owing to their race, and this is also aggravated regarding their level of literacy, socioeconomic condition, as well as where they live. The CEDAW Committee found that the state party did not ensure appropriate medical treatment about pregnancy and did not provide timely emergency obstetric care, hence infringing the right to nondiscrimination based on gender, race, and socioeconomic background (CEDAW 2011).

The CEDAW Committee's decision was groundbreaking in many aspects. As mentioned

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before, the most significant are its interpretation of women's human rights to safe motherhood and of intersectional discrimination against them in reproductive health care, the development of human rights standards for high-quality emergency obstetric care, and the scope of state's obligation to regulate and oversee the provision of quality care by non-state enterprises. Thus the case was described by the Human Rights Council report (UN Human Rights Council 2011) as an example of a best practice in the application of a human rights-based approach to the problem of preventable maternal mortality:

> 65. Enhanced legal accountability was sought through the case of *Alyne da Silva Pimentel v Brazil* filed before the Committee on the Elimination of Discrimination against Women. The applicants alleged that the failure by Brazil to provide maternal health care violated several of its international obligations. The Committee was asked to direct Brazil to prioritize maternal mortality reduction, including by training providers, establishing and enforcing protocols and improving care in vulnerable communities. This case, still pending, is the first individual communication on maternal mortality filed before a United Nations treaty body and is part of a strategy to ensure that rights-holders have access to international mechanisms when domestic remedies fail.

In summary, CEDAW Committee addressed the structural problems in Brazil's public health system recommending that the government (i) ensure women's right to safe motherhood and affordable access to emergency obstetric care; (ii) provide adequate professional training for health workers; (iii) ensure that private health-care facilities comply with national and international reproductive health-care standards; (iv) implement Brazil's National Pact for the Reduction of Maternal and Neonatal Mortality, which includes the establishment of additional maternal mortality committees to monitor maternal deaths; and (v) ensure women's access to effective remedies when their reproductive rights have been violated (CEDAW 2011).

The Committee further urged the state to provide symbolic and material reparations, including monetary compensation, to Alyne's family (Mesquita and Kismodi 2012).

The Committee's decision addressed underlying social factors that together presented a unique burden to black women like Alyne when seeking health care during pregnancy:

> The lack of appropriate maternal health services in the State party that clearly fails to meet the specific, distinctive health needs and interests of women not only constitutes a violation of article 12, paragraph 2, of the Convention, but also discrimination against women under article 12, paragraph 1, and article 2 of the Convention. Furthermore, the lack of appropriate maternal health services has a differential impact on the right to life of women. (CEDAW 2011, paragraph 7.6)

The decision recalled CEDAW's General Recommendation No 24 of Article 12 of the Convention (Women and Health) "in which it states that it is the duty of State's parties to ensure women's right to safe motherhood and emergency obstetric services, and to allocate to these services the maximum extent of available resources" (CEDAW 2011, paragraph 7.3). This recommendation leaves to state to define the measures to be taken to comply with their obligation to protect women's right to safe motherhood (Cook and Dickens 2012).

The CEDAW Committee stated that the implementation of the right to health includes taking measures to eliminate discrimination, accepting the argument that "the requirement that health facilities be available on a nondiscriminatory basis is an obligation of immediate effect" (CEDAW 2011, paragraph 5.6). The Committee had already established that:

> States parties' compliance with article 12 of the Convention is central to the health and well-being of women. It requires States to eliminate discrimination against women in their access to health-care services throughout the life cycle, particularly in the areas of family planning, pregnancy and confinement and during the post-natal period. (CEDAW General Recommendation No. 24 1999)

Another important aspect noted by the CEDAW Committee was the gender discrimination in view of several of the medical errors that were made during Alyne's treatment. Specifically, it held that the "discrimination includes state actions that may have the effect of creating

barriers to the enjoyment of human rights, including the right to the highest attainable standard of health.... To ensure the realization of the right to health, states must provide access to quality of care in maternal health services in a non-discriminatory manner" (CEDAW 2011, paragraph 5.9). The Committee had previously considered "distinct aspects and factors that differ for men and women, including the biological factors associated with reproductive health" (CEDAW General Recommendation No. 24 1999) and that "the denial of access to health interventions that only women need is one of discrimination against women" (CEDAW General Recommendation No. 25 2004).

Also according to the Committee, "Ms. da Silva Pimentel Teixeira was not ensured appropriate services in connection with her pregnancy (Para 7.4)." Instead, she received poor quality of care that resulted in the numerous medical errors, which were, as the facts of the case made clear, attributable to professional negligence, since:

> Her complaints of severe nausea and abdominal pain during her sixth month of pregnancy were ignored by the health centre, which failed to perform an urgent blood and urine test to ascertain whether the foetus had died.(...) the curettage surgery was only carried out 14 hours after labour (...) in order to remove the afterbirth and placenta, which had not been fully expelled during the process of delivery and could have caused the haemorrhaging and ultimately death. (CEDAW 2011)

The Committee accordingly found that the state had failed to fulfill its obligation "to take all appropriate measures to eliminate discrimination against women by any person, organization, or enterprise", as established by Article 2(e) of the CEDAW Convention. It went on to recognize the distinction between de facto and de iure discrimination and "that measures to eliminate discrimination against women are inappropriate in a health-care system which lacks services to prevent, detect and treat illnesses specific to women" (CEDAW 2011, paragraph 7.3) (Para 7.3).

CEDAW Committee's general recommendations have yet to be fully implemented at national level. Civil society organizations have been monitoring and continued to challenge the lack of implementation and the health-care system's culture of attributing to destiny and treating as natural black women's preventable maternal deaths as well as institutional racism that has permeated reproductive care in Brazil's public health services for many decades. It is thus precedent-setting with respect to the state's accountability for women's right to safe motherhood under international human rights law.

Conclusions and the Way Forward

Recommendations from human rights treaty-monitoring bodies (UN TMBs) have been increasingly recognized as authoritative interpretations or more recently as being legally binding (Engström 2018). This means that UN TMBs provisions are applicable in certain contexts, which is why various bodies have taken a more formalistic approach to overseeing implementation by states. The judgments of human rights bodies in individual cases represent opportunities for public learning and for mobilizing civil society to hold states accountable on both the national and global levels.

Alyne's case is emblematic of strategic litigation for advancing women's right to safe motherhood to address a pattern of structural failures within the public health system. The necessity of such litigation is demonstrated by the high maternal mortality rates in Brazil, which reflect both the persistence of inequalities and reproductive injustice affecting black and low-income women, as well as the consistent failure of measures designed to address the root causes and underlying social determinants of unequal health-care outcomes and human rights violations.

The CEDAW Committee's decision clearly has the potential to generate a ripple effect in other countries in which the health-care systems are facing challenges. In this regard, assessment of the Brazilian state's compliance should not be

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measured solely in terms of inequalities in health outcomes but should instead take into account political processes generated by dialogues involving multiple stakeholders and by the establishment of an interministerial group to discuss the next steps in the implementation process with civil society organizations.

The success of the 2030 Sustainable Development agenda does not depend only on governments' political will and formal compliance with its international commitments only but also relies on the full engagement of a multistakeholder partnership including civil society, private sector, and local authorities to demand accountability of their international human rights obligations regarding sexual reproductive health and rights, including the right to safe motherhood. In this regard, citizens and civil society have a common responsibility to engage with reality and translating the SDGs into policy actions, monitoring their progress, and holding governments accountable. Human rights framework should be promoted in order to achieve goals 5 and also goal 17 Goals and address preventable maternal mortality and morbidity in order to left no one behind in preventable maternal mortality is related to many factors including lack of access to education, transportation, enjoyment of basic social economic and social rights, including right to sexual autonomy, bodily integrity, and other sexual reproductive health and rights. It reflects a huge gap between developed and developing countries and unequal power on gender relations in society and consequently the devaluation of women's lives. Civil society organizations have a key role to play in monitoring and evaluation policy implementation, using strategic litigation and applying human rights-based frameworks to promote laws, health policies, and practices holding governments accountable. In the near future, the engagement of different stakeholders in monitoring the implementation of international commitments through concrete and developing measurable and comprehensive indicators will be a central strategy to succeed in the effective implementation of the 2030 Sustainable Development Agenda.

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Human Rights and Gender Equity: Building Sustainable Development

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Definition

Efforts to achieve a just and sustainable future must recognize the rights, dignity, and capabilities of the whole world's population and acknowledge gender equity. To be effective, policy actions for sustainability must redress the disproportionate impact on women and girls of economic, social, and environmental shocks and changes. Women's knowledge, agency, and collective action have the potential to improve resource productivity, to enhance ecosystem conservation and sustainable use of natural resources, and to create more sustainable, low-carbon food, energy, water, and health systems.

Introduction

The 17 Sustainable Development Goals (SDGs), and the 169 targets (United Nations 2015b), which constitute Agenda 2030 for Sustainable Development, also called Transforming Our World, allow us to understand in a real way a concrete project of sustainable development. The objectives are integrated and blend, in a balanced way, the three dimensions of sustainable development: economic, social, and environmental. They function as a list of commitments to be met by governments, civil society, and the private sector for a collaborative and sustainable project by 2030.

The SDGs are based on the understanding that sustainable development and human rights are strongly interlinked and would be achieved when inequality, marginalization, and poverty are overcome. The complexity of the 2030 Agenda was made possible by the contribution of diverse civil social groups in different parts of the planet (Esquivel 2016; Esquivel and Sweetman 2016).

As mentioned by Kjaerulf et al. (2016: 863), history has shown that setting visionary goals can help union leaders and decision-makers with researchers and practitioners from around the world toward a broad common cause. In this sense, it is believed that another possible reading of the Agenda is to associate it in its magnitude with the strength of the articles defended by the Universal Declaration of Human Rights that was proclaimed and adopted by the United Nations General Assembly resolution 217 A (III) on December 10, 1948. It means that it is impossible to achieve economic and social development without full experience of consolidated human rights and without considering the close relationship offered by these two Agendas – goals of sustainable development and human rights – and all that they advocate.

This entry recognizes that building sustainable development and human rights will only be achieved when SDG 05, which deals with gender equity, is performed as a central goal. The hypothesis that guides the basic premise of this entry is that it is impossible to achieve SD and HR,

without gender equity postulated by the SDG 05 goals, and especially by combating violence against women and girls, recognized here as one of the greatest scourges of humanity.

This entry is subdivided into introduction, and now it has been presented. Item two offers an analysis of the importance of women in the construction of sustainability, with particular emphasis on the historical role of the consolidation of action platforms against discrimination against women. Item 3 shows the narratives about the importance of SDG 05, to achieve sustainability, from a reflection on the meaning of gender equity and empowerment of all women and girls and, subdivided, in a reflection on the importance of combating violence against women and girls across the globe, because it is argued that combating abuse and the role of quality education for all women and girls are the most significant challenges and strategies for achieving gender equity. Finally, the entry analyzes the significance of the relationship between sustainability and human rights under SDG 05 and the conclusions.

Women and Sustainable Development

Women's role in the process of building sustainable development is critical, not only because women and girls are the ones who suffer the most from the consequences and challenges of a development process that generates inequality, economic crisis, lack of health care, climate change, conflict, and violence against women at ever-increasing rates, as are, and will be, those who have the potential to build creative and leadership ideas to address them. However, gender discrimination still affects many women, preventing them from realizing their full potential, and consequently affects the entire planet (United Unions 1981).

According to United Nations Women (2018b: 14), "gender equality is key to delivering on the promises of Agenda 2030." The report draws attention to two directly related and very important aspects: (1) as long as women have no economic and social power, in the world of work and in their homes and communities, growth will not be inclusive and human society will not be able to end poverty, (2) while women and girls are not secure of all forms of violence, in order to make the decisions that concern their lives, inclusive and peaceful societies will not be created. Therefore, gender equality is a goal in itself and a powerful force to defend the goals and targets agreed in the 2030 Agenda.

Historically it is important to recognize the inspiring context for the Agenda 2030 SDGs, regarding the fundamental role of gender equity in achieving sustainable development on the planet. First, this is because of the recognition today that violence against women remains one of the biggest scourges against human rights. One in three women will experience some form of physical or sexual abuse (not including sexual harassment) in their lifetime (UNESCO/UN Women 2019).

This was already present as a reality when the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW Committee) was established, adopted, and opened for signature, ratification, and accession by the UN General Assembly, by Resolution 34/180 of December 18, 1979, which entered into force on September 3, 1981, according to Article 27. This convention marks a milestone in the consolidation of recognition of discrimination against women while affirming that the elimination of all discrimination is an urgent need for strengthening human rights.

> The States Parties to the present Convention,
> (...) Noting that the Universal Declaration of Human Rights affirms the principle of the inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, including distinction based on sex.
> Noting that the States Parties to the International Covenants on Human Rights have the obligation to ensure the equal rights of men and women to enjoy all economic, social, cultural, civil and political rights,
> (...) Concerned, however, that despite these various instruments extensive discrimination against women continues to exist,
> Recalling that discrimination against women violates the principles of equality of rights and respect

for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult the full development of the potentialities of women in the service of their countries and of humanity, Concerned that in situations of poverty women have the least access to food, health, education, training and opportunities for employment and other needs, (...) Convinced that the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women on equal terms with men in all fields. (UN 1981)

The above message makes clear the importance of the CEDAW Committee (UN 1981) as well as the various efforts that ensue. The best examples being the 1995 Beijing Declaration and Platform for Action (Beijing Platform for Action) which set the inspired agenda for the empowerment of women and girls around the world (United Nations 1995). Also in Beijing in 2000, the second Conference was held in commemoration of the fifth anniversary of the first, seeking to reaffirm the commitments of the first and to present the advances and challenges faced.

The Beijing Platform for Action was built at the largest assembly of gender equality advocates of all time: the Fourth World Conference on Women, held in Beijing, China. It has been adopted by 189 governments committed to bold and strategic action in 12 key areas: poverty, education and training, health, violence, armed conflict, economics, power and decision-making, institutional mechanisms, human rights, the media, and environment, and girls (United Nations Women 2014). Despite the crucial significance and importance that these events have had and continue to have, in consolidating an important global plan to achieve gender equity and equality, the challenges remain.

According to United Nations Women (2014), although some advances in the subject can be recognized, to date, no country has fully achieved gender equality due to multiple legal and cultural obstacles that remain historically unchanged. As a result, women continue to be undervalued, continue to work more, earn less, have fewer options, and experience multiple forms of violence at home and in public spaces.

To better understand the treatment of these concepts, it is necessary to clarify further, but briefly, the concepts of equity and equality. The meanings of the words equity and equality are different but are often used as synonyms in various contexts. Some authors explain, however, that when humans aspire for gender equity, it is basically justice, equal opportunities regardless of gender, but recognizing, however, that not all are equal, due to objective living conditions, biological aspects, differences in opportunities for men and women of different age groups, ethnicities, and degrees of social vulnerability (Azevedo 2013; Facio and Morgan 2015; Afkhami and Eisenberg 2015).

The authors assume the prerogative of Facio and Morgan (2015) when they show that "gender equity is the process of being fair to women and men." The guarantee of this justice is the creation of strategies and measures that must be available to compensate for the historical and social disadvantages of women that prevent humanity from operating otherwise on an equal basis (Facio and Morgan 2015: 42).

According to the authors, equity leads to equality. Gender equality requires the equal enjoyment of women and men in goods, opportunities, resources, and rewards with social value. Most often, in a society with extreme gender inequality, it is women who are excluded or disadvantaged in decision-making and access to economic and social resources. Gender equality does not mean that men and women become equal; only that access to opportunities and life changes does not depend on or restrict to gender. Achieving this goal is to achieve equity (Facio and Morgan 2015: 42–43).

Based on the premise that gender equity is a prominent and cross-cutting aspect of the 2030 Agenda, and is fundamental to realizing human rights and the progress in all Sustainable Development Goals (SDGs), this entry seeks to analyze the key aspects which are impediments to the achievement of sustainable development, based on the recognition of the major obstacles to meeting SDG 5.

Thus, the background of this work is recognizing that gender equality is a right, and fulfilling that right is the best opportunity to address social inequality and building sustainable development (United Unions 1981).

The Importance of SDG 5 to Address Sustainability

Achieve Gender Equality and Empower All Women and Girls

The role of SDG 5 is to provide a solid foundation for promoting women's equality and empowerment as a sustainable development strategy. The goals that represent SDG 5 (United Nations 2015: 18) can be summed up in ending all forms of discrimination against all women and girls everywhere (5.1); eliminating all forms of violence against all women and girls in public and private spheres, including trafficking and sexual and other forms of exploitation (5.2); eliminating all harmful practices, such as premature, forced and child marriages and female genital mutilation (5.3); recognizing and valuing unpaid home-based care through the provision of public services, infrastructure and social protection policies, as well as the promotion of shared responsibility within the home and family (5.4); ensuring the full and active participation of women and equal opportunities for leadership at all levels of decision-making in political, economic, and public life (5.5); and ensuring universal access to sexual and reproductive health and reproductive rights in accordance with the Program of Action of the International Conference on Population and Development and the Beijing Platform for Action and the documents resulting from its review conferences (5.6).

The priority of this entry is to address two of its targets, which are fundamental to achieving gender equity, as necessary to sustainable development. In this sense, this entry highlights targets 5.2 and 5.4. With this choice, it is believed that they represent the most expressive concerning transversality in all 17 goals and without which the desired sustainable development for the world cannot be achieved, and they are the most

eloquent to promote SDG 5 and to reflect on its social, environmental, and human dignity.

The priority of this entry is considering that combating violence against women and girls is a basic premise to advance the SDG 5 and dignity of human life. As García-Moreno and Amin (2016) point out, this is the first time that a Global Development Agenda has addressed all forms of violence against women and girls, seeking to highlight their relevance and importance, considering the 2030 reduction target, which is fundamental to achieving sustainable development and ensuring the full realization of human rights. Three of its goals are directly related to combating all forms of violence, one of which (5.2) concerns the type of violence encountered in most countries, and its guideline is the elimination of all forms of violence and harmful practices against all women and girls, including sexual violence, human and sexual trafficking, and other types of exploitation.

According to the World Health Organization (WHO 2018: 9), SDG 5 presents a historic opportunity to unite the world in goals to eliminate all forms of violence against women and girls, calling for the attention of governments, civil society, and researchers; enabling different approaches, including public health, to be strengthened; working collaboratively to eliminate violence; and enabling gender equality and women's empowerment as a key aspect of achieving a just, rights-based, sustainable, and gender-equitable society, recommended by the SDG 5.

The Landscape of Violence Against Women and Girls in the World: Brief Considerations

As García-Moreno and Amin (2016) point out, this is the first time that a Global Development Agenda has addressed all forms of violence against women and girls, highlighting their relevance and importance, considering the expected goal of reduction by 2030, fundamental for sustainable development and ensuring the full realization of human rights.

Three of its goals are directly related to the fight against all forms of violence. The purpose 5.2 refers to the type of abuse found in most countries, including Brazil, and has as a guideline

the elimination of all forms of violence and injuries against all women and girls, including sexual abuse, human and sexual trafficking, and other types of exploitation.

As expressed by the World Health Organization (WHO), SDG 5 advocates a historic opportunity to unite the world in goals to eliminate all forms of violence against women and girls, calling for the attention of governments and civil society, enabling that different approaches and people can work collaboratively to eliminate violence, enabling gender equality, and empowering women as a critical aspect of achieving a fair, rights-based, sustainable, and equitable society of gender (WHO 2018: 9).

Until very recently, most governments considered violence against women to be a relatively minor social problem. Nowadays, due in large part to the efforts of women's organizations and the evidence provided by countless researches (Coelho and Zelic 2018; Connor and Fiske 2019; Kjaerulf et al. 2016; García-Moreno and Amin 2016; Oxfam International 2019), violence against women is recognized as a global concern and a violation of human rights in most of contemporary societies (WHO 2005: 3–4) and a significant threat to social and economic development.

Often, violence against women may be closely associated with social conditions of vulnerability, such as poverty, lack of access to education, gender inequality, child mortality, maternal health problems, and HIV/AIDS (WHO 2018). SDG 5 seeks to promote through education equality and gender equity and the empowerment of women, access to information and work.

Thus, violence against women and girls takes many forms today. WHO (2005: 4) adopted the following definitions of physical and sexual violence to contribute to research and public policy, namely: (a) physical abuse means that a woman has suffered some form of assault on her physical, moral, or psychological integrity; (b) sexual violence means that a woman was physically forced to have sex because he was afraid of what his partner could do, or forced to do something sexually that she understands as degrading or humiliating; (c) intimate partner violence, also called

"domestic" violence, means that the woman has suffered from some of the previous mentioned types of abuse, caused by an intimate partner, and this is one of the most common and universal form of violence experienced by women.

According to WHO, in 2018, violence against women took on epidemic proportions, and a devastating fact states that one in three women in the world could throughout their lives be victims of physical violence and/or have a sexual violence relationship, mainly victimized by an intimate partner. This alert represents the massive escalation of gender inequality and discrimination against women. While recognizing that some women are more at risk than others, violence can happen to anyone in any country – regardless of culture, religion, or economic situation. The importance of realizing this panorama goes beyond the individual aspects insofar as it affects the economic and social health aspects of families, communities, and countries (WHO 2018: 2)

As the Oxfam (2019) bulletin highlights, violence against women and girls not only devastates women's lives and divides communities but also undermines development efforts in order to build stable democracies and just and peaceful societies. The most vulnerable women and girls in society are more likely to experience it, most often in the hands of their husbands or partners. Violence imprisons women and girls to poverty and vulnerability, insofar as it limits their choices and impedes their educational advancement and their participation in political and public life. Oxfam also points out that between 35% and 70% of women will experience some violence committed by their current or former partners during their lifetime and that 71% of women and girls together account for all the victims of human trafficking already detected. Finally, the bulletin highlights that violence against women and girls is one of the most significant and impeding barriers to end poverty and consequently prevents sustainable development.

Khosla et al. (2017) state that 200 million girls and women worldwide have undergone female genital mutilation and also point out that according to a UNICEF document of 2016, another 15 million girls are at risk of suffering

this violence until 2020 in countries with a high prevalence of this practice. The authors draw attention to two aspects: (1) need for clear guidance on the treatment and care of women who have been subjected to such violence, and (2) current efforts have not yet been capable effectively reduce the number of women and girls who are victims, nor are they sufficient to respond to the degrading effects of this form of violence.

Sen Roy (2018: vii–ix) highlights other forms of violence and gender inequality can be seen, where the disparity is explored through the linkage on the negative impacts of climate change on the countries of the Global South. This region is defined as the nations of Africa, Central and South America, and most of Asia, including the Middle East, which covers an average of 150 countries and which is distinguished by the existence of severely limited resources. The author draws attention to some key aspects, first by defining that the impacts of climate change – including hot flashes, floods, droughts, and famine – will be felt more intensely by poor communities in most of these countries. In addition, these impacts are exacerbated by poverty and lack of infrastructure. In general, the challenges and effects of global warming projected and already underway in this region will have a more significant impact on women, making it difficult for them to access local opportunities and resources such as education and participation in decision-making processes.

Sen Roy (2018) draws attention to the fact that in the Global South, the highest levels of gender inequality are more pronounced in the countries of South Asia and Central and South Africa. The author emphasizes that regions with relatively more gender inequalities are also more vulnerable to the impacts of climate change where, as a result of cultural and social norms, women and girls in these regions will be more exposed to the adverse effects of climate change. Based on the analysis of these indices, there is a critical need to implement a more gender-sensitive approach to mitigation and adaptation measures that address the impacts of climate change on the regional scale.

The author also draws attention to extremely alarming data on gender inequality in the Global South countries, where less than 20% of the world's landowners are women. Women account for less than 5% of all agricultural landowners in North Africa and West Asia, while in sub-Saharan Africa, they represent an average of 15%. Women spend 16 million hours a day collecting drinking water in 25 sub-Saharan countries, compared with 6 million a day for men and 4 million a day for children. Regarding education, Sen Roy (2018) points out that 60% of the world's illiterates are women, concentrated mainly in developing countries and less developed countries in the Global South. And that, despite the UN General Assembly's 1993 statement on the elimination of violence against women, more than one in three women suffer physical or sexual abuse in the countries that make up the Global South (Sen Roy 2018: 28).

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW Committee), adopted by the UN in 1981, defined that discrimination against women consists of "any distinction, exclusion or restriction made on the basis of sex" and which undermines the recognition, enjoyment, or exercise of human rights by women that is still prevalent in all countries of the world (De Vido 2018: 164). In recent years, the fight against violence against women has been present on all political agendas in various countries, although the nature of discrimination may differ from country to country. Paradoxically, discrimination occurs in the form of the law, and in others, the law does not openly discriminate against women, but gender equality was not widely achieved.

Women's rights are not only fertile ground for feminist research around the world but should be placed at the forefront of research by international law experts who seek to overcome a law conception that is centered on man, for although international human rights laws are not devoid of guarantees for women by encouraging the recognition of women's rights throughout the twentieth century and at the beginning of the twenty-first century, discrimination and violence, in fact, persist, as evidenced by various data (De Vido 2018: 164–165).

Conaghan and Millns (2005) have already drawn attention to this since 2004, analyzing a broader context of feminist engagement with rights discourse, in a work looking at the introduction of the 1998 Human Rights Act (HRA) in the United Kingdom, which allowed the conception of human and women's rights in those countries.

Significant data on violence and discrimination are present in many countries of the world, even when in many countries the rights that women have already won are recognized (Conaghan and Millns 2005; United Nations 2014; De Vido 2018; Sen Roy 2018, United Nations Women 2018a). The data that is fundamental to build robust statistics on the subject, and which, if necessary, is essential to the consolidation of public policies, is not simple to make, often due to the difficulty of data consolidation, underreporting, or the complexity of countries to undertake sophisticated data storage systems and the construction of official statistics.

Two good examples to have a minimum reference to the global situation of women in the world were offered by the United Nations in 2010 and 2015, with the availability of two reports, which can be considered the most complete on the subject: The World's Women 2010 and 2015. In both reports, "Engaging in Social Norms Change" is devoted to the framework of violence against women. According to a 2015 report, one can still see a cruel reality, despite the many efforts made, whether through social policies; the construction of specific objectives to be achieved by nations, such as the 2030 Agenda; and the more strict laws and punishments for those guilty of committing such crimes. The report highlights very significant overall aspects and some alarming conclusions, as shown below:

1. Women around the world, regardless of income, age, or education, are subject to physical, sexual, psychological, and economic violence.
2. Worldwide, 35% of women have experienced physical problems and intimate partner sexual violence or non-partner sexual violence at some point in their lives.
3. Data of violence against women by the private partner is a real experience for most women victims of violence, with the prevalence of sexual abuse combined with physical violence.
4. The experience of violence can lead to long-term physical, mental, and emotional health problems, and in the most extreme cases, violence against women can lead to death.
5. Two-thirds of intimate partner/homicide victims are women, while women account for only 20% of all homicide victims.
6. Half of developing countries report a lifetime prevalence, committed by an intimate partner, of at least 30% of physical and sexual violence.
7. Prevalence is generally high in Africa, with a quarter of countries in the region reporting an incidence of at least 50%. In Oceania, the prevalence is the highest, reaching over 60% in several countries in the area. More than half of developed countries report a lifetime prevalence of at least 20%.
8. Lifetime experience of psychological violence (including emotional abuse and control) is higher in Latin America and the Caribbean in Oceania than in developed countries, with a prevalence of over 40% in more than half of the nations.
9. Acceptance of wife beating is generally highest in Africa, Asia, and Oceania and lower in Latin America, America, the Caribbean, and developed countries. But this level of acceptance of violence by both women and men has decreased over time.
10. In most countries, less than 40% of women who experience violence seek the help of any kind, and among those who ask, the majority turn to family and friends rather than to police and health services.
11. Only 10% of women seek help, among those seeking help, corresponding to the police in almost all countries with data.

Still, in its findings, the report warns that 119 countries have passed domestic violence laws, 125 have harassment laws, and 52 have marital rape laws. But the bottom line is that

even when domestic violence laws exist, they are not always implemented in ways that help women. Specific measures need to be taken because women, often economically dependent on their intimate partner, are at risk of being deprived of their sole source of economic support when their partner is convicted and imprisoned. Availability of data on violence against women has increased significantly in recent years – since 1995, 102 countries have conducted at least one survey addressing the issue: in the period 1995–2004, 44 countries collected this data, and between 2005 and 2014, 89 did so, presenting the significant increase of 44% of the countries that collected the data.

A detail about Brazil, a country that systematizes the data, allows us to point out some problematic situations. It is a country that historically lives with daily violence against women, resulting in a perverse highlight: it is the fifth country with the highest rate of female murders in the world (Waiselfisz 2015). Due to this recognition and the pressure, mainly from the feminist social movements, in August 2006, Law 11,340 (Maria da Penha Law) was sanctioned, aiming to treat these crimes with greater rigor and punishment. Deepening further the question of the severity of possible punishments, in March 2015, the Law 13.104/2015 (Feminicide Act) was sanctioned, classifying it as a heinous and aggravating crime when it happens in specific situations of greater vulnerability (pregnancy, underage, in the presence of children, etc.) (Waiselfisz 2015: 7; Pasinato 2011; Mulheres 2015; World Health Organization (WHO) 2013).

Despite advances in the laws, the country continues to live with alarming rates of violence. The Atlas of Violence, in its 2019 edition, when analyzing the decade of 2007–2017, indicates that there was a growth of female homicides in Brazil in 2017, with about 13 murders per day. In all, 4,936 women were killed, the highest number since 2007. There has been a significant 30.7% increase in the number of female homicides in the country during the decade under review, as well as in the last year of the series, which recorded an increase of 6.3%, compared to the previous one. It is clear to the organizers of the Atlas that the magnitude of the phenomenon and its variations can best be measured in terms of the homicide rate per group of 100,000 women, which allows for greater temporal comparability and between different federative units. Between 2007 and 2017, there was an increase of 20.7% in the national rate of homicides of women, when it went from 3.9 to 4.7 women murdered by a group of 100,000 women, with an increase of 17% federation units in this period. In 2012–2017, an increase of 1.7% is observed in the national rate and an even more significant increase of 5.4% in the last year, when there are rising rates in 17 federation units compared to 2016.

This finding, observed in various parts of the planet, and also, present in Brazil, causes immense difficulty in achieving full human rights and constitutes an intense obstacle to the consolidation of sustainable development (Sen Roy 2018).

The Role of Quality Education for Women and Girls: A Right to Be Earned

The premise of SDG 04 is "ensure inclusive and equitable quality education and promote lifelong learning opportunities for all" (United Nations Women 2018b: 83). According to the United Nations Women (2018a: 83), each additional year of postprimary education for girls has significant multiplier effects, including by improving women's employment outcomes, decreasing the chance of early marriage, and improving their health and well-being as well as that of future generations. However, the persistent issue in the contemporary world and especially in developing countries is that schools are grossly under-resourced, teacher training is limited, class sizes are excessive, and textbooks and other resources are in short supply, with negative consequences for girls and boys alike. At the same time, girls face specific challenges. Where adequate sanitation facilities are lacking, for example, concerns over safety and menstrual hygiene management, may keep girls away from school or compromise their learning experience.

There is increasing evidence, according to the United Nations (2014: 22), of the synergies between gender equality on one hand and

economic, social, and environmental sustainability on the other. For example, when women have a more distinctive voice and participation in public administration, public resources are more likely to be earmarked for investments in human development priorities, including child health, nutrition, and access to employment. It is also noted that ensuring women's access to and control over agricultural assets and productive resources is essential for achieving food security and sustainable livelihoods. Women's knowledge, agency, and collective action are critical to find, to demonstrate, and to build more economically, socially, and environmentally sustainable ways to manage local landscapes, adapt to climate change, produce and access food, and ensure sustainable water, sanitation, and energy services.

In the perspective of the United Nations (2014: 13), the full participation of women is recognized as central to policy formulation. For example, their decisive involvement in community-based forest management bodies produces positive results for both forest sustainability and gender equality. In addition, certain aspects of gender equality, such as women's education and women's participation in employment, can have a positive impact on economic growth, although this impact depends on the nature of growth strategies, the structure of the economy and sector composition of women, and employment and segregation of the labor market, among other factors. However, while gender equality may have a catalytic effect on achieving economic, social, and environmental sustainability, the opposite is not always true. Indeed, some patterns of economic growth are premised on maintaining gender inequalities, such as preserving wage differentials between men and women and maintaining discriminatory gender norms, values, and institutions.

It is also essential to consider that governments and donor agencies are increasingly targeting women as critical actors in adapting the community to climate change in their role as small farmers, as the basis of sustainable food production, and by limiting their reproductive rights as the answer to population and environmental

problems; there is a danger of consolidating gender stereotypes and inequalities.

According to the United Nations publication (2014), the political responses that see women as "saviors of sustainability" are based on and reinforce stereotypes about the role of women concerning the family, the community, and the environment. Such responses often increase women's already unpaid workloads without conferring rights, resources, and benefits. Power imbalances in gender relations determine whether women's actions and work translate into the realization of their rights and capabilities. While women's participation is vital, their involvement in sustainability-oriented policy interventions does not automatically mean greater gender equality, especially when the structural underpinnings of gender inequality remain unchanged. There are, however, alternative approaches that move toward sustainability, human rights, and gender equality in a synergistic way. Some are rooted in the day-to-day practices through which women and men access, control, use, and manage natural resources in ways that sustain livelihoods and well-being.

It should be recalled, as pointed out by Munhoz (2019), that women and girls are discriminated against in terms of access, permanence, completion, learning outcomes, and career choices, resulting in disadvantages that go beyond schooling and the school environment and involve many aspects of the lives of these people. Unterhalter (2005), in analyzing this question, already mentioned that about 1/6 of the world's population has no access to education and that the majority are women and girls.

According to Savić (2018), education is one of the key drivers and enablers of sustainable development, but in spite of the progress already made, significant challenges relating to education still remain. Unfortunately, as mentioned by Militaru (2018), access to quality education and lifelong learning opportunities remains scarce for many individuals and communities around the world, particularly those belonging to vulnerable groups. However, as highlighted by the authors (Militaru

2018; Savić 2018), education is not only a catalyzer of social progress, but it is also one of the fundamental human rights. Therefore, the enjoyment of the human rights is one of the prerequisites for the achievement of sustainable development, and human rights are one of the tools for the integration of the three dimensions of sustainable development.

The first step to overcome this situation is to recognize that it exists in all modalities and different social structures. In this perspective, education also has a vital role to play in eliminating gender differences, achieving equal human rights, and cooperating with broad actions aimed at sustainability. Therefore, it is fundamental that education promotes experiences and learning based on freedom of expression, self-knowledge, and recognition of their own identities and sexualities. This situation also requires and implies actions that allow the availability, accessibility, acceptability, and adaptability of education at all levels and for all (Wilson 2004).

Having said this, it can be affirmed that it is the role of higher education institutions (HEI) and their researchers to invest in reflections, research, and proposals for action and implementation of projects that allow changes and improvements in relation to sustainability and regional and planetary quality of life. To Frankenberger et al. (2018), higher education institutions (HEIs) constitute powerful organizations that should embody and disseminate changes necessary in contemporary society. HEIs have a critical influence over social structures, have an urgent responsibility to encourage transformation, and can contribute as agents of change, empowering the transformation of society.

Education can turn into reality the intention to move minds and attitudes toward an empathic, cooperative, restorative, sustainable, and unified worldview (Frankenberger et al. 2018). This perspective may allow to reach effective commitments that are focused on the prevention of violence against women and girls toward a positive change in relation to human rights, gender equity, and equality (Wilson 2004; Seixas and

Hoefel in press; Saba and Almas 2018; Savić 2018).

It should also be noted that international norms and standards on human rights and gender equality between women and girls provide a solid basis for the advancement of plans and actions to strengthen the vital role of women in achieving sustainable development.

The SDG 5 and Human Rights Building Sustainable Development

It is important to highlight the concept of sustainability as a fundamental way to question the model of global economic development and which has determined some negative consequences, such as the intense processes of industrialization and urbanization, deterritorialization, social inequality, disorderly migratory processes, environmental degradation, dilapidation of water resources, and impairment of the physical and mental health of a large part of the population.

Thus, based on these characteristics of global societies and their predominant model of economic development, it can be related that the issue of violence against women, in all its forms, impedes achieving a model of sustainable development that can offer better living conditions and gender equity for the whole society. Thus, the underlying causes and consequences of unsustainability and gender inequality are deeply intertwined and rooted in dominant economic models (United Nations 2014).

According to the United Nations publication (2014: 11) on gender equality and sustainable development, the effects of unsustainable patterns of development intensify gender inequalities and affect human rights because women and girls are often disproportionately affected by shocks and tensions of economic, social, and environmental conditions. The causes and promoters of unsustainability and gender inequality are deeply intertwined. Both are produced by development models that support specific models of market-driven growth and the persistence of unequal power relations between women and men. Such patterns of development depend on

and replicate gender inequalities, exploiting women's work and unpaid care work. The same developmental trajectories also produce environmental problems as market agents seek and secure profit in ways that depend on the overexploitation of natural resources and pollution from terrestrial environments and oceans and that generate climate change. These market-led paths are leading to directions that are unsustainable in social and ecological terms and, ultimately, also in economic expression, undermining the conditions for future progress.

In this perspective, it is crucial to analyze the relationship between SDG 5, gender equity and equality, human rights, and sustainability. In analyzing Oxfam's proposals, Rosche (2016) points out that the organization considers the elimination of violence against women, equal participation in decision-making, and the economic rights of women as priority areas to achieve this goal, among other prerogatives, guaranteeing sexual and reproductive health and rights, promising women and girls access to education and access to energy, water, and sanitation. For each goal, Oxfam proposes several specific actions that help and collaborate in the realization of these relationships between SDG 5, human rights, and sustainable development.

Razavi (2016) points out that while some gains already made in this relationship between sustainable development, human rights, and SDG 5 are considered, it can be challenging to maintain these situations unless the dominant economic model that creates and forms the scenario and those stronger mechanisms for assigning responsibilities are implemented and put into practice. In the author's view (Razavi 2016) in the absence of robust and useful tools of attribution of responsibility, the risk of failures and difficulties in the implementation process is vast.

However, for Goetz and Jenkins (2016), it is essential to emphasize that beyond the current structure of political institutions, many factors affect the prospects for effective adoption and implementation of policies and mechanisms that guarantee gender equality and human rights. These, in the authors' perspective, include

the characteristics of political and economic structures, cultural norms about gender and the capacity of the state to challenge them, and the degree to which civil and political freedoms are respected.

Linked to the issue of achieving equal participation in leadership and decision-making, for Esquivel (2016), there is also the issue of economic empowerment, which is fundamental in the perspective of sustainable development. Empowerment, according to Esquivel (2016), implies secure means of subsistence, the ability to enjoy human rights, the reduction of unpaid work that impedes enjoyment of rights, and meaningful participation as actors and leaders in their communities. Once again, these different aspects reinforce the relationship between gender equality, sustainable development, and human rights.

Cichos (2018: 432) puts in her article a provocation if people have the right to live free from poverty. The author replies that if the answer is yes, another challenge is posed as a question: is there an international obligation to support developing countries to eradicate extreme poverty? And if it goes beyond, does the right to live free from poverty mean anything more to the requirement of the international community than people's right to sustainable development?

For the author, these questions are crucial at the moment, given the dynamics of the 2030 Agenda and the questioning of the development model that will be effectively assumed as a society. Thus, it states that based on international law, currently, there are two different human rights: the right to (sustainable) development and the right to freedom from (extreme) poverty. So, the global development cooperation agenda must take this distinction into account and provide two different sets of development goals – one that will focus on areas where humanity is fighting poverty alleviation and the other which will focus on areas where sustainable development is needed. This distinction can make development assistance, especially in developing countries, more coherent, effective, and transparent (Cichos 2018).

For Jahan (2019), human development for all requires strong national human rights institutions with the capacity, power, and will to address discrimination and ensure the protection of these rights in multiple dimensions. Such institutions, including human rights commissions, investigate complaints of human rights abuses, educate civil society and states on human rights, and recommend legal reforms. According to Jahan (2019), for some vulnerable groups, anti-discrimination and other rights are guaranteed in constitutions and other laws; however, in many cases, mechanisms for implementation and full equality in the law are lacking. Institutions such as national human rights commissions or special commissions for specific groups can provide oversight and ensure that the rights of these groups are not violated, and overcoming discrimination and abuse requires the presence of a competent legal framework that can defend their human rights.

Another relevant aspect, as emphasized by Kato (2019), is that sustainable development is not possible if the female population, which comprises half of humanity, continue to have incomplete rights and opportunities, including equal access to quality education, economic resources and political participation, fair jobs and wages, leadership, and decision-making at all levels.

Looking at some aspects of religious fundamentalism and gender issues, Iman et al. (2017) emphasize that while gender equality remains a crucial element of human rights and sustainable development, sometimes development initiatives incorporate cultural women's rights and their participation, which requires incorporating alternative perspectives that are appropriate and relevant to human rights and gender justice.

It turns out that achieving sustainable development and gender equality potentially involves issues that need to be broadly and openly discussed among different social groups. In these negotiations, the social dimensions of sustainability – often neglected – must be fully integrated, and states and other actors must be held accountable for the active construction of sustainable development (United Nations 2014).

Conclusion

The 17 SDGs of Agenda 2030 bring together the three dimensions of sustainable development (economic, social, and environmental) and should be considered as a platform for inspiration and action to improve the living conditions of humanity.

The SDG 5 addresses that "achieving gender equality and empowering all women and girls" is paramount to achieving sustainable development and the fullness of human rights and invites society to think globally, to eliminate all forms of violence, and to work hard in a project of quality education for women and girls. Without removing these tremendous obstacles of life from countless women and girls on the planet, this goal cannot be achieved.

As mentioned throughout the entry, the diverse effects of education are significant. Each additional year of education for girls has positive effects on women's lives, like employability, decreased the chance of early marriage, to be a victim of violence, to improve health and the welfare of women and girls.

Human development for all requires strong national institutions with the capacity power and willingness to address discrimination and to ensure the protection of rights in multiple dimensions to overcome prejudice and abuse, and to strengthen an existing education project in the lives of girls and women, built on the presence of a competent legal framework that can defend human rights.

Sustainable development is not possible if the female population continues to have incomplete rights and opportunities. In short, achieving sustainable development and gender equality potentially involves issues that need to be discussed widely and openly among different social groups. In these negotiations, the social dimensions of sustainability must be integrated, with formal state actions and other actors responsible for this active construction, including equal access to quality education, economic resources and political participation, fair jobs and wages, leadership, and decision-making at all levels for everyone – women, girls, men, and boys.

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Human Rights of Women Migrants

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Definition

Definition of migrants varies from organization to organization according to the focus and objectives of the respective organizations. For the purpose of this entry, we draw insights from Human Rights Watch (HRW) and International Organization for Migration (IOM) under UN to define migrants. Migrants are the people living and working outside their country of origin, and it is considered as an umbrella term, not defined under international law, reflecting the common lay understanding of a person who moves away from his or her place of usual residence, whether within a country or across an international border, temporarily or permanently, and for a variety of reasons. Furthermore, UN IOM clarifies that the term migrant also "includes a number of well-defined legal categories of people, such as migrant workers; persons whose particular types of movements are legally-defined, such as smuggled migrants; as well as those whose status or means of movement are not specifically defined under international law, such as international students." On the other hand, Article 2(1) of the International Convention on the Protection of the Rights of Migrant Workers and Members of Their Families defines the term migrant workers as "a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national." Therefore, it can be stated that migrants are those people who are living as well as working at the new place to which one doesn't belong to. Here the new place can be the other state of own country or different country. Since there is no specific policy initiatives at international level to highlight issues associated with women and migration, this entry tries to

make an attempt to focus various human rights issues of women migrants sparsely referred under various Sustainable Development Goals (SDGs). So that all forms of discrimination, violence, trafficking, sexual exploitation, forced labor, low wages and remittances, modern slavery, etc. are addrssed to ensure orderly, safe, regular, and responsible migration for women with reliable disaggregated data etc. in the future.

Overview

With the coming up of the Universal Declaration of Human Rights on 10 December 1948, through General Assembly resolution 217A in Paris, the rights listed in the declaration received universal status and were recognized as inherent and inalienable in nature. In the course of time, it was followed by other international laws such as – International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR) which were adopted as well as opened for signature including ratification and accession by United Nations General Assembly through resolution 2200A (XXI) on 16 December 1966. But the former came into force on 23 March 1976, and the latter came into force on 3 January 1976. Later on, in order to meet the demands of the time, many specific international laws came up; for instance, Convention on the Elimination of All Forms of Discrimination against Women was adopted by the General Assembly of the United Nations on 18 December 1979 but came into force only on 3 September 1981, and Convention on the Rights of the Child (CRC) was adopted as well as opened for signature including ratification and accession by United Nations General Assembly through resolution 44/25 on 20 November 1989. With regard to the rights of migrant workers, the United Nations raised their concern for the first time only in 1972. Later on, UN drew its attention on the rights of migrant workers through the International Convention on the Protection of the Rights of Migrant Workers and Members of Their Families on 18 December 1990 through General Assembly resolution 45/158, although the

international law came into force only in March 2003 due to the shortages of ratifying countries. But, the origin of the recognition of migrants can also be linked with the Treaty of Versailles which contributed to the formation of International Labour Organisation (ILO) in 1919 under the then League of Nations. Now it has become the first as well as the oldest United Nations specialized agency which brings governments, employers, and workers of the member states to set labor standards as well as to develop policies and devise programs in order to promote decent work for all. After its formation, ILO brought the Convention concerning Migration for Employment (C097 – Migration for Employment Convention, 1949) and concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers (C143 – Migrant Workers (Supplementary Provisions) Convention, 1975) followed by other conventions. Although there are enough international laws, due to the poor record of ratification as well as weak implementation of international laws, migrants are bound to remain in vulnerable situations, and when we look at the situation of the women migrants, they appear to be more vulnerable which further requires special attention.

Human Rights: An Understanding

The discussion of human rights in the context of women migrants appear to be incomplete if anyone bypasses the discourse of human rights in general. At the same time, debate on human rights becomes vague until and unless one does not discuss its background, that is, how the term evolved into present nomenclature. The term human rights became popular with the United Nations' (UN) Universal Declaration of Human Rights (UDHR) in 1948. Hence, it becomes pertinent for everyone to understand its evolution from rights to human rights.

The idea of having rights seems not to be a recent development since its origin can be traced back from the state of nature. Social contractualists Thomas Hobbes (1588–1679),

John Locke (1632–1704), and Jean-Jacques Rousseau (1712–1780) are of the opinion that an individual had certain natural rights such as right to life, liberty, and property (Kato 2009: 86; Algan 2004: 126) and equality (Plattner 1979: 31) in the state of nature before entering into the civil society which came into existence through social contract. According to Haas (2014: 35), the social contract was made as an agreement on the condition that the state would respect the prior individual rights.

Besides, the work of Haas (2014: 23–34) also shows the contribution made by other secular philosophers through the various concepts of rights, say, for instance, liberty (Aristotle 384–322 BCE); natural liberty, natural right to property (Jean Bodin 1529–1596); right to justice, right to security (Hugo Grotious 1583–1645); right to life, right to liberty, right to pursuit of happiness (Thomas Jefferson 1743–1826); freedom of speech, freedom of religion, freedom of press, against slavery (Voltaire 1694–1778); constitutional check and balance, against slavery system (Baron de Montesquieu 1689–1755); equal rights (Marquis de Condorcet (1743–1794); self-determination of the people (Immanuel Kant 1724–1794); individual rights such as freedom of speech, freedom of press, right to education, right to employment (Johann Gottlieb Fichte 1762–1814); property rights (Edmund Burke 1729–1797); inherent and inalienable rights (Thomas Paine 1737–1809); individual rights (August Comte 1798–1857); equality, freedom of expression (John Stuart Mill 1806–1873); right to association, right to education, right to property, religion, speech (Georg Wilhelm Friedrich Hegel 1770–1831); and worker rights (Karl Marx 1818–1883; Friedrich Engels 1820–1895).

Similarly, the contributions made by various religions of the world through their principal messages can't be denied, and those contributions include the concept of equality, freedom of speech, religion, right to education, non-discrimination, racial equality, natural rights, and right against exploitation. Besides, the contribution of historical documents such as Code of Hammurabi, Torah, Charter of Cyrus, Asoka's edicts, Constitution of Medina, Charter of

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Liberties, Magna Carta, Provisions of Oxford, and Provisions of Westminster is also mentionable in this regard.

Over time, those rights have achieved its protection from the state, but there are also examples of enjoyment of rights unequally by men and women say, for instance, women were not allowed to cast their vote and contest election. In New Zealand, women were first granted the right to vote only in 1893 (Tomasevski 1998: 545); Australia in 1902; Finland in 1906; England in 1917 but from 30 years of age; Poland in 1918; Russia in 1919; the USA in 1920; Ecuador in 1929; Brazil in 1932; Cuba in 1934; El Salvador in 1939; Dominica in 1942; Guatemala and Panama in 1945; Argentina and Venezuela in 1947; Chile and Costa Rica in 1949; Haiti in 1950; Bolivia in 1952; Mexico in 1953; Honduras, Nicaragua, and Peru in 1955; Columbia in 1957; and Paraguay in 1961 (Subramaniam 2007: 173), and in Finland the right to be elected was given to them only in 1908 (Tomasevski 1998: 545). Subramaniam (2007: 173) further mentioned that after the Second World War, many countries have introduced electoral rights in their country's constitutions.

Besides, back in the eighteenth century in the landmark declaration as well the use of gender-biased term, i.e., Man and Men, can be found: French Declaration of the Rights of Man and of the Citizens. In the course of time, women realized the necessity of the use of gender-neutral term on human rights documents. Therefore, in the original draft of UDHR, the UN Commission on the Status of Women managed to amend "all men are brothers" (Tomasevski 1998: 546), and now Article 1 of the declaration reads as "all human beings are born free and equal in dignity and rights" (UN 1948). The UDHR, now, recognizes civil and political rights and economic, social, and cultural rights as human rights for all members of the human family, and everyone is entitled without any distinction based on race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status. Simultaneously, the declaration has also considered those rights as universal,

inalienable (UN 1948), and indivisible (Appleyard 2001: 3) in nature. As the declaration was not possible to ratify by the member countries, UN brought two separate covenants on civil and political rights and economic, social, and cultural rights in 1966, i.e., International Covenant on Civil and Political Rights (ICCPR) and Economic, Social and Cultural Rights (ICESCR). In the same line, both covenants also consider those rights as universal and inalienable in nature (UN 1966a, b).

With the coming up of this international bill of human rights, the term human rights has acquired a prominent position in this present-day world. But, the poor record of ratification and ineffective implementation of the same appears to be obstacle for the specific group of people which includes women for realization of the rights. Therefore, in the course of time, there are demands for separate laws for different groups such as women and migrants and so on and so forth.

Human Rights of Women Migrants

In December 1974, UN General Assembly made the Declaration on the Protection of Women and Children in Emergency and Armed Conflict, and considering the provisions of the human rights appeared in the UDHR, ICCPR, and ICESCR, the declaration states that women and children shall not be deprived of the basic necessities such as food, shelter, and medical aid including the inalienable rights of the human beings (UN 1974). Further, the declaration also condemns the attacks and bombings and the use of chemical and bacteriological weapons in course of military operations that affect women and children, who constitute the most vulnerable members of the human population.

In December 1979, UN General Assembly came forward with a very comprehensive convention, i.e., Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), with an aim to secure and protect the human rights particularly of women but entered into force only in September 1981 achieving ratification of 20 countries. It is also another result of

the hard work devoted by the UN Commission on the Status of Women which was established in 1946 with an objective to "monitor the situation of women and to promote women's rights" (UN 1979). Article 1 of the CEDAW clarifies that discrimination against women means any distinction, exclusion, or restriction that is made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field. Further, UN again came up with the Optional Protocol to CEDAW (CEDAW–OP) where Article 1 recognizes the competence of "the Committee" on the Elimination of Discrimination against Women to receive as well as to consider the communications that is submitted in accordance with Article 2 of the CEDAW–OP and even the CEDAW–OP gives the individuals the right to submit a complaint to CEDAW Committee (UN n.d.-a).

Besides, UN again brought another Declaration on the Elimination of Violence against Women in December 1993 which further clarifies that "women are entitled to the equal enjoyment and protection of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field" which includes the right to life, the right to equality, the right to liberty and security of person, the right to equal protection under the law, the right to be free from all forms of discrimination, the right to the highest standard attainable of physical and mental health, the right to just and favorable conditions of work, and the right not to be subjected to torture or other cruel, inhuman, or degrading treatment or punishment (UN 1993a). Besides, the United Nations Millennium Declaration which appeared in September 2000 also states, in the context of equality, that "no individual as well as nation must be denied the opportunity to benefit from development and the equal rights and opportunities of women and men must be assured" (UN 2000a).

Chronologically speaking, at first, the attention was given towards women issues in the western world through some conventions as the international organization came only after the First World War. The Convention, drawn up in The Hague, came in 1902 which was concerned with the right to custody over minors, and the Convention of 1904 and 1910 included the ban on women and children trafficking (Subramaniam 2007: 172). Later on, even in the International Conferences of American States held in different years in 1923, 1928, 1933, and 1938, rights of women were taken into consideration (Subramaniam 2007: 172–73). But when we narrow down the attention of the international organization on migrants, very less development can be found. It was only in the late twentieth century that in international level the specific consideration can be seen even if it is negligible attention. Again, if we come down to women, it seems to be more negligible in nature which requires urgent attention.

With an aim to respect and secure protection of the rights of the migrants including their families, UN came out with another convention in 1990, i.e., International Convention on the Protection of the Rights of Migrant Workers and Members of Their Families – (ICRMW) (UN 1990). This is the first international law that specifically came forward to protect the rights of the migrants, but unfortunately it took a long time to come into force in the year 2003 when it achieved ratification of 20 states (UNESCO 2005: 5). The Convention, without generating new rights to migrants, specifies certain rights which are fundamental to migrant workers and assure the equality as well as similar condition of work between nationals and migrants (UNESCO 2005: 7). In June 1993, the World Conference on Human Rights urged all the states to guarantee the protection of migrants' rights and to ratify the ICRMW (UN 1993b).

UN General Assembly, in 2000, again came forward with Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime with an intent "to provide migrants with humane treatment" and ensure "full protection of their rights" considering the fact that "there is no universal instrument that addresses all aspects of smuggling of migrants

and other related issues" because the smuggling of migrants can also endanger the lives as well as the security of the same (UN 2000b). Further, the Protocol clearly states its objective in its Article 2 as "to prevent and combat the smuggling of migrants, as well as to promote cooperation among States Parties to that end, while protecting the rights of smuggled migrants" (UN 2000b). However, till now the Protocol still is not in force but has been kept opened for its signature, ratification, and accession.

Though the UN over the years adopted a series of initiatives through its conventions, declarations, and other documents, it has come forward with only one convention which specifically deals with the migrant workers and the members of their families. But, seems to be failed to come up with convention which directly connect with women migrants particularly, even if there is large number of human rights violation to the story of the migration of women. The reason behind can be due to the poor record of ratification and implementation of the international convention which directly or indirectly protects the rights of women migrants and the existence of national laws which does not cover the migrants at the transit as well as the destination.

In fact, though there is no specific international law in relation to women migrants, there are some international laws that include them; for instance, Article 12 (2) of ICCPR says that "everyone shall be free to leave any country, including his own," and 12 (4) of the ICCPR further says that "no one shall be arbitrarily deprived of the right to enter his own country," and since migration do not confine only to international movement of the people, there is also "the right to liberty of movement and freedom to choose his residence" according to Article 12 (1) of the ICCPR (UN 1966a). Apart from that, there are certain rights such as right to life, physical integrity, right to primary schooling, etc. under core human rights instruments which are applicable to all without restrictions as well as regardless of status. But, the link between the women migrants and human rights along with women rights can't be taken for granted. It is only in 1990 that migrant workers and members of their families achieved special rights (UN 1990) which have already been discussed.

In this backdrop, the lack of international law for women migrants seems to be an obstacle for the women migrants to achieve protection of their inherent and inalienable rights, stated in the international bill of human rights which are eligible to all without any discrimination (see UDHR, ICCPR, ICESCR). But, over time the numbers of the migrants have been increasing worldwide – in 2017 the number of migrants in the world is almost 258 million from 244 million in 2015 and 173 million in 2000 (UN DESA 2017) and out which around 48% constitute female migrants. Further, among these international migrants, roughly 3% reside in Oceania, 10% in Africa, 26% in the Americas, 30% in Europe, and 31% in Asia according to Global Migration Data Portal (UN n.d.-a).

Besides, there is an issue of forced migration caused by natural disaster, crop failure (see Kelly and Fotheringham 2011), conflict (e.g., Vietnam War), ethnic cleansing, and many more. Forced migrants face adverse difficulties starting from the decision to move till reaching the destination. During this process forced migrants have to encounter issues such as exploitation, abuse, smuggling, and trafficking. Further, in this situation women suffer most as they are more front to sexual exploitation as well as forced labor and trafficking as mostly forced migrants do not possess the necessary documents which furthermore forced them to accept any channels of migration for survival. This results in violation of human rights. According to IOM's World Migration Report of 2020, there is around 67 million forced migrants around the world till 2018 where around 25 million are refugees displaced from their countries of origin and 41 million are IDPs (internally displaced persons) who have been displaced within the country (IOM 2019).

In this context, taking the reference from international law such as UDHR, ICCPR, and ICESCR, the governments of various countries as well as NGOs (nongovernmental organizations) can formulate policies to respond to the issue.

Migrants' Rights in the Twenty-First Century

Though the situation of the migrants is not satisfactory, even in the twenty-first century, the attention acquired at the international level can't be denied. On 4 December, 2000 at the 81st plenary meeting, UN General Assembly through the resolution proclaim December 18 as the "International Migrants Day" (UN 2000a). In 2016, General Assembly of the UN came with "UN Summit for Refugees and Migrants 2016" to address the large movements of the said groups with an aim to bring countries together behind a more humane and coordinated approach (UN Refugees and Migrants 2016). In April 2016, UN Secretary-General, looking at the movements of refugees and migrants, prepared a report "In safety and dignity: addressing large movements of refugees and migrants" (UN 2016b, April).

And, in September 2016, UN General Assembly adopted a resolution, New York Declaration for Refugees and Migrants, at the high-level plenary meeting on addressing large movements of refugees and migrants and committed "to protecting the safety, dignity and human rights and fundamental freedoms of all migrants, regardless of their migratory status, at all times" (UN 2016a: 8). Further, the declaration (2016: 1–2) in its "introduction" mentioned that "the positive contribution made by migrants for inclusive growth and sustainable development" was taken into consideration in adopting the UN 2030 Agenda for Sustainable Development.

On the 9th day of March 2017, António Guterres, UN Secretary-General, appointed Louise Arbour of Canada as the Special Representative for International Migration to lead the "follow-up to the migration-related aspects of the 19 September 2016 High-level Summit on Addressing Large Movements of Refugees and Migrants" (UN Refugees and Migrants n.d.-a). Later on, based on the decision made through the New York Declaration, the International Conference held in Marrakech, Morocco, on 10–11 December 2018 (UN 2018, December) adopted Global Compact for Safe, Orderly and Regular Migration comprising 23 objectives (UN Refugees and Migrants n.d.-b; Global Compact for Migration 2018, July). The Global Compact "aims to mitigate the adverse drivers and structural factors that hinder people from building and maintaining sustainable livelihoods in their countries of origin; intends to reduce the risks and vulnerabilities migrants face at different stages of migration by respecting, protecting and fulfilling their human rights and providing them with care and assistance; seeks to address the legitimate concerns of states and communities, while recognizing that societies are undergoing demographic, economic, social and environmental changes at different scales that may have implications for and result from migration; and strives to create conducive conditions that enable all migrants to enrich our societies through their human, economic and social capacities, and thus facilitate their contributions to sustainable development at the local, national, regional and global levels" (UN Refugees and Migrants n.d.-b; UN Intergovernmental Conference on the Global Compact for Migration n.d.).

But even after achieving the above-discussed goals in relation to women or women migrants' rights, they are not free from exploitation: for example, employers seize the IDs of women migrants in some countries in Asia (Gulati 2006) so that they can't move to other place for any other work, some of them are forced to join the sex industry for debt recovery from the employer, and some of them are kept without salary as the agents charge the recruitment cost either to the migrants or to the employer (Matsui 1999). Similarly, in Gulf countries (Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, and the United Arab Emirates) also cases of exploitation can be found either by recruiting agents or employers. Further, the employers' control over migrants through kafala system also exploits the migrants (ILO n.d.-a). According to ILO in Arab States there is around 600,000 (estimated by ILO) migrants who are victims of forced labor (ILO n.d.-b) where countries have to take steps to effectively and positively address migrants' issues.

Thus, the lack of international law and conditions of women migrants appears to be a major

challenge to achieve Sustainable Development Goals (SDGs) which has the following pertinent targets (see Table 1) in relation to women as well as migration. Those relevant targets have appeared through different goals which primarily aim to attain equality, including ending all forms of discrimination; eliminating violence, trafficking, and sexual and other types of exploitation against all women; eradicating forced labor; and ending modern slavery; orderly,

safe, regular, and responsible migration, including low remittance transaction costs; and high-quality, timely, and reliable disaggregated data.

In the same context, understanding the critical situation of women migrants and relating to relevant targets of SDGs, O'Neil, Fleury, and Foresti (2016, July) in their work found that women migration is similar to men and they are more vulnerable in comparison with their male counterparts. Therefore, they consider that policies on

Human Rights of Women Migrants, Table 1 Women, migration, and SDGs

Target	Goal 5: Achieve gender equality and empower all women and girls
5.1	End all forms of discrimination against all women and girls everywhere
5.2	Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation
5.6	Ensure universal access to sexual and reproductive health and reproductive rights
5.B	Enhance the use of enabling technology, in particular information and communications technology, to promote the empowerment of women
5.C	Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels
	Goal 8: Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all
8.5	By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value
8.7	Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms
8.8	Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment
8.10	Strengthen the capacity of domestic financial institutions to encourage and expand access to banking, insurance and financial services for all
	Goal 10: Reduce inequality within and among countries
10.7	Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies
10.C	By 2030, reduce to less than 3% the transaction costs of migrant remittances and eliminate remittance corridors with costs higher than 5%
	Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels
16.1	Significantly reduce all forms of violence and related death rates everywhere
16.2	End abuse, exploitation, trafficking and all forms of violence against and torture of children
16.3	Promote the rule of law at the national and international levels and ensure equal access to justice for all
	Goal 17: Strengthen the means of implementation and revitalize the global partnership for sustainable development
17.18	By 2020, enhance capacity-building support to developing countries, including for least developed countries and small island developing States, to increase significantly the availability of high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability, geographic location and other characteristics relevant in national contexts

Source: Sustainable Development Goals

migration need to be gender sensitive with disaggregated data as mentioned in the target 17.18 of SDG 17 (see Table 1).

Conclusion

The discussion shows that according to migration data of the United Nations Department of Economic and Social Affairs (UN DESA), over a period of time the number of migrants worldwide has increased and reached to around 258 million in 2017 from 173 million in 2000. But, to protect their rights and to provide security, there is very weak implementation of the existing international laws. Hence, they deserve to receive more intervention from national, regional, and international regimes. Kalin and Kunzli (2009: 487) are of the view that migrants and even the displaced persons and refugees are deprived of the basic security usually which can be easily enjoyable for the people remaining at their homes, and hence they are of the opinion that migrants including displaced persons and refugees require special protections. Migrants particularly women migrants face various kinds of obstacles starting from the decision to migrate to other places, and among them some of the notable points are – family restriction on women migration; necessity of consent in some families from the eldest male member of the family to migrate; certain countries like Bangladesh have restriction over women migration; women are victims of human trafficking; high cost of recruiting agency; and seize of personal IDs by the employer in foreign country. Therefore, in short it can be stated that there is still a long way to achieve relevant targets of SDGs in relation to women migrants.

Cross-References

▶ Domestic Violence Against Women: Relevance, Reflections, and Public Policies
▶ Female Migration and the Global Economy
▶ Women in Cities: The Nexus Between SDG 5 and SDG 11
▶ Women's Participation in the Labor Market

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Human Rights of Women Refugees

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Definition

A refugee is a person who has been forced to flee from their home country due to certain conflicts or persecution based on religion, nationality, a particular social group, race, etc. According to the 1951 Refugee Convention and the 1967 Protocol Relating to the Status of Refugees, a refugee is a person who fled from his country of origin due to political or other forms of persecutions and is unable or unwilling to avail the protection of that country. The term refugee covers all those who are asylum seekers, internally displaced persons, migrants, etc. regardless of the recognition of their claim. The term asylum seekers denotes those who have not been given international protection (Bradby et al. 2015). The internally displaced persons have been forced from their own homes for many reasons but have not crossed an international border. But sometimes people may flee to other parts of their own country to remain in a relatively familiar surrounding, but certain times they remain unwelcomed, and they become the victims of human rights violations. Mass human rights abuses, civil wars, internal strife, communal violence, forced relocation, and a natural disaster have lead toward construction of refugee around the world. Thus there is a greater need for international protection and assistance to these persons who are facing numerous crises and problem (Nirmal 2001).

Overview

The numbers of refugees are increasing worldwide where most of them consist of women and children. In many cases, they are forced to leave

their homes due to armed conflicts, insecurity, or violence. This displacement thus creates insecurity toward women and girls, because most of their migration experience is shaped by some particular features where the root causes lie in the gendered forms of violence they may face throughout their journey. Women often have to resort to dangerous routes. During their journey, they are exposed to sexual and gender-based violence, including rape, sexual exploitation and abuse, sexual harassment, psychological violence, trafficking, early and forced marriage, transactional sex (sexual relationship where giving and receiving gifts, money, or other things), as well as domestic violence. However, once they reach their destination, many women and young girls still face risks due to limited access to support services, a lack of effective procedures to identify survivors of gender-based violence, and inadequate reception conditions in accommodation facilities. So this entry tries to highlight different factors that violate the rights of women refugees especially in the camps, and it also tries to examine the role of human rights in order to sustain and deliver access the rights as being part of their social system.

Global Trends of Refugees

The refugee problem is a phenomenon of the ages. It is the product not only of the First World War and Second World War, modern dictatorial regimes, and ethnic strife but also of socioeconomic inequalities. The population movements have been increasing due to man-made conflict as well as from natural calamities. Refugees can be broadly categorized as asylum seekers or internal and external refugees. The current refugee crisis is not a new phenomenon, but it was witnessed during the two World Wars. The recent conflicts in the Middle East especially Syria, Iraq, and Yemen; the civil unrest in Central African Republic, Nigeria, South Sudan, and Burundi; and the social turmoil in the Rakhine province in Myanmar have contributed the most to the ongoing refugee crisis in the world. The year 2014 was the worst year in terms of the refugee crisis. About 42,500 people fled their homes every day. This number is four times than that in 2010 (Pathak and Sharmiladevi 2018). Historically, mass displacements of populations have been directly linked with violently contested legitimacy of the State, its institutions, and their incumbents. The States' chronic legitimation deficits are major sources of the contemporary displacement of population that can be seen in Africa, Asia, the Middle East, and Latin America (Otunnu 2002). The other factors toward forced displacement are the change in climatic condition. The changing climate condition and environmental factors are creating new kinds of displacement. In Myanmar, nearly half a million people have had to flee their homes because of monsoon flooding. Other events, such as the earthquake in Nepal, have also caused displacement. In Oman and Mongolia, climate change is impacting pasture quality and water resources and disrupting the rural landscape. Despite valiant efforts, responses too often have been inadequate. Life-saving assistance has been provided, but there has been an inability to plan for the eventuality of longer-term displacement or to sufficiently support host communities.

The forced displacement is considered as one of the major casue of rising refugee issues and also been emerged as one of the most pressing humanitarian issues. Over the past decade, the global population of forcibly displaced people grew substantially from 43.3 million in 2009 to 70.8 million in 2018, reaching a record high. Most of this increase was between 2012 and 2015, driven mainly by the Syrian conflict. But conflicts in other areas also contributed to this rise, including in the Middle East such as in Iraq and Yemen and parts of sub-Saharan Africa such as the Democratic Republic of the Congo (DRC) and South Sudan, as well as the massive flow of Rohingya refugees to Bangladesh at the end of 2017 (UNCHR 2018). Due to massive flow of refugees in the world, there are dozens of refugee camps scattered around the world. Typically, they are located along the border areas where conflicts have arisen. While they are set up such as temporary settlements, many have been around for decades. Some of the refugees living in these camps have never lived anywhere else.

Kutupalong in Cox's Bazaar in Bangladesh with refugee population of 886,778; Bidi Bidi in northwestern Uganda with 285,000; Dadaab refugee complex in Kenya with 2,352,669; Kakuma in northwestern Kenya with 184,550; Nyarugusu in Kigoma, Tanzania, with 139,630; Jabalia, north of Gaza City on the Gaza Strip, with population of 119,486; Zaatari in northern Jordan, with 80,140; Yida in South Sudan with 70,331; Pugnido in Western Ethiopia with 63,262; and Panian in Pakistan with 62,264 are the largest refugee camps in the year 2018 (Raptim 2018). Due to its profound increase in number, the refugees encounters much hardship and dilemmas. They suffer from trauma of being uprooted from familiar surroundings, the pain of being forced to abandon basic worldly possessions such as land and residence, and stress caused by the loss or diminution of social and economic status previously enjoyed in the homeland. The internally displaced persons are often need to relocate to dangerous places and they have to suffer through this experiences since they might have been living in conflict zone (Chari 2002).

One of the most victimized sections during the conflict is the children and women. They are considered as one of the targeted and fragile victims of armed conflict and fractional migration. Wars, armed conflicts, fractional migration, and political violence are causing many problems that affect the psychosocial, physical, and moral growth of children. The loss of family members, friends, and home, violence, language problem, and dangerous transit experiences have resulted in traumatic injuries in the lives of children and women in particular. In general, children who are growing up in such circumstances of anxiety, fear, and lack of family support and parental depression are very difficult to be prosperous and rediscovering their childhood. Therefore, it accompanies refugee children's constant specific fears, such as separation and isolation and fear of the future (Okitikpi and Aymer 2000). The health of the refugees has been reported to be very poor as most of the refugees are dealing with symptoms of post-traumatic stress disorder or depression. These long-term mental problems can severely impede the functionality of the person in everyday situations; it makes matters even worse for displaced persons who are confronted with a new environment and challenging situations, and they are also at high risk for suicide. A study conducted by the Department of Pediatrics and Emergency Medicine at the Boston University School of Medicine demonstrates that 20% of the minor Sudanese refugees living in the United States had been diagnosed with PTSD (Geltman et al. 2005). In a study for the United Kingdom, refugees were found to be 4% points more likely to report a mental health problem compared to the nonimmigrant population (Giuntella et al. 2018). Refugees are often more susceptible to illness for several reasons, including a lack of immunity to local strains of malaria and other diseases. Displacement of people can create favorable conditions for disease transmission. Refugee camps are typically heavily populated with poor sanitary conditions.

The major factors toward major health crisis among the refugees are the less accessibility and availability of healthcare services. Despite inclusive stated policies for refugee access to healthcare on the international level, potential barriers to that access include language, cultural preferences, high financial costs, administrative hurdles, and physical distance (UNCHR 2011). In Canada, barriers to healthcare access include the lack of adequately trained physicians, complex medical conditions of some refugees, and the bureaucracy of medical coverage. There are also individual barriers to access such as language and transportation barriers and institutional barriers (McMurray et al. 2014). Apart from health issues, the refugees are also prone to exploitation at the hands of officials and citizens of the host country. Instances like child labor and sexual exploitation mostly in children and women have been documented. In many refugee camps in three war-torn West African countries, Sierra Leone, Guinea, and Liberia, young girls were found to be exchanging sex for money, a handful of fruit, or even a bar of soap. Most of these girls were between 13 and 18 years of age. In most cases, if the girls had been forced to stay, they would have been forced into marriages that have resulted into pregnancy

(Aggrawal 2005). The experiences that children and women go through during the times of armed conflict can impede their life and put their life at risk and also hinder their human rights.

Women Refugees

The forms of discrimination and violence against women have always existed in every society. The socioeconomic status, cultural differences, ethnic background, religion, health, etc. are all examples that exacerbate or influence the nature of discrimination faced by women. In the Fourth World Conference on Women, States recognized that many women face additional barriers to the enjoyment of their human rights because of their race, ethnicity, culture, and religion and also being migrant women workers or displaced women or refugees (UNHR 2014). Women faced gender-specific challenges in navigating their daily life, and being a refugee adds more to their despair. The women and girl refugees or internally displaced women and girls are exposed to specific protection problems due to their gender, cultural and socioeconomic position. They have limited access to basic rights such as the right to food, healthcare, housing, documentation and nationality as compared to men and boys (UNHCR 2011). At the worldwide level, women represent almost half of the 244 million migrants and half of the 19.6 million refugees (UN 2016). Women and girls are categorized as a vulnerable (group because refugee experience places them in a situation which creates vulnerability and multiple levels of discrimination and they are inherently labeled as minority who are prone to violence and exploitation. They also face multiple additional barriers accessing services including legal protection and reproductive and other health services. The most important difference is that of endemic sexual and gender-based violence. These includes systematic rape in conflict and post-conflict situations, rape as a method of control of community and family destruction, rape of women as a punishment for men in a community on sexual assault, sexual torture, sexual slavery, trafficking, corrective rape of LGBT identifying women, early

and forced marriage, female genital mutilation, and domestic violence (Pittaway and Pittaway 2010; UNCHR 2011).

Human Rights Violation: Gender-based violence has become a major concern and a serious problem throughout the world which is violating the human rights of women refugees. Even worse, gender-based violence is more problematic in displaced settings. The female asylum seekers and displaced women often live in squalid condition with lack of access to fundamental services such as education and healthcare. Some women refugees are forcefully imprisoned indoors and face violence at the hands of their spouse. Threat to women refugees is not only a form of sexual violence, but it also comes as gender-specific health and security problem as well. Women get more exposed to abuse and attacks when they are forced to travel unprotected to remote areas in search of food, water, and firewood (Domínguez-M 2016). When food and other necessities are in short supply, women do not get a fair share of what is available. The United Nations Development Fund for Women (UNIFEM) has also warned that women in refugee camps get less of everything. From things such as plastic sheeting to soaps, women do compromise on their share. When men are the sole distributors of food and supplies, the likelihood of discrimination and also harassment is higher (True 2012). Such settings have the highest victim numbers as women are often targeted for gender-based violence and, hence, they are the most vulnerable to exploitation, violence, and abuse simply by virtue of their gender and status in society (Roth 2005), like the case of the 2010 Haiti earthquake where more than 250 cases of rape in several camps were reported in the first 150 days (de Bruijn 2009). Likewise camp situations expose female refugees toward violence due to poor security within and around the camps (Amnesty 2011). Many women had experienced violence from various sources during their journey, and a mention maybe made with reference to their journey to the European Union, especially from the smugglers or traffickers. Women traveling alone or just with children are particularly prone to attack of this violence (Freedman 2016).

The Kakuma refugee camp in northwestern Kenya faces problems in terms of deteriorating human and political security conditions and increased human rights violations against women. According to a report of the International Rescue Committee that focuses on health matters in the refugee camps, the incidences of sexual exploitation and abuse in the refugee camp and host community are high, with varying vulnerability from community, sex, age groups, to ethnicity illustrating different categories of vulnerable groups among refugee women (IRC 2005). According to the International Rescue Committee in Kakuma, women refugees who undergo sexual exploitation are bond toward it because their exploitation could render them the social service. The intensity of sexual violence in Kakuma camp is understood to be attached with the poverty issue that created a wider range of difficulties in the life of refugees that turn into violence. Due to the curtailed freedom of refugees, for example, to work and create a livelihood, they remain trapped in encampment affecting women in the long run. Factors such as poverty and deprivation will inform the baseline of analysis between women refugees and their bodies being a center of frustration in the camps (Horn 2010).

One of the major problems of refugee camps is overcrowding, and one such example is the Dadaab refugee camps where a large number of Somalian refugees flee from the camp. There are major concerns that various institutions dealing with women refugees in Dadaab refugee camp have failed to respond adequately to the severe overcrowding. The rights of the asylum seekers and refugees to housing, water, and education have been severely compromised (Bashir 2018). The other factors that hinder the rights of women in the camps are due to the proper sanitation facilities. Several thousand refugees are living in close proximity where around 300 people shares one latrine due to the poor planning of the initial camp capacity (Ronda 2013). The lack of access to healthcare especially related to safe reproductive health is a common factor in the camp. Less amount of medical care are available with no counselor to help with the mental trauma.

The Rohingya refugees who have fled due to the crisis in Myanmar to the camps in the Cox's Bazar of Bangladesh is one of the biggest refugee crises in the world at present. The crowded settlements, lack of appropriate WASH facilities, and increased vulnerability are putting women and girls at risk of gender-based violence, including sexual harassment, assault, and sexual violence that were reported weekly especially by adolescent girls (Oxfom 2017). Cases of child marriage and forced marriage have been reported from Cox Bazar refugee camps placing young girls at risk in their early age (CARE 2017), and attributable to poverty and displacement. Forced prostitution and trafficking are also risks faced by women and girls in the camps, (Al Jazeera 2018), and such cases are likely to be underreported. Polygamy has also been reported to have increased within the Rohingya community as a result of displacement (Oxfom 2017).

The women and children in the Syrian war experienced the worst that resulted many in displacements. The dangerous situations that refugee women face on the journey do not always end on the destination. A report by the Women's Refugee Commission reveals that the needs of women and girls often go unaddressed in accommodation centers in Germany and Sweden, where asylum seekers have to stay till their claims are processed. There are no separate living spaces for women and families and also no sex-separated latrines or shower facilities. Women and girls thus remain vulnerable to rape, assault, and other types of violence in these facilities. While the two countries do recognize gender-based persecution as grounds for asylum (Crawley and Trine 2004), women and girls are supposed to go through increasingly complicated legal and bureaucratic processes without sufficient support, making the procedure quite gender insensitive (Women's Refugee Commission 2016). The healthcare is a major concern for Syrian women refugees because women's sexual and reproductive health has disproportionately suffered. The study conducted by Georgetown Institute for Women, Peace and Security in camps set up by the Turkish government reveals that the absence of psychosocial support to survivors of sexual and gender-

based violence, and poorly structured approach to the provision of reproductive healthcare are the two biggest contributing factors of female disempowerment in the camps (Asaf 2017). Also neonatal care is virtually absent because there is no systematic way of tracking pregnant women. Many women have reported that family planning mechanisms are not available and the extent to which camp management officials are able or willing to address this issue is not known (Jessen 2013). Women refugee faces many problems related to their health, and they experience several challenges. They appear to at greater risk than others for sexually transmitted infections including HIV for a variety of reasons (McGinn 2002). The prenatal health outcomes are cited as an area of concern and the infants born to the refugee women have been reported to be of lower birth weight and shorter gestational age (Gagnon et al. 2002).

Human Rights

Human rights are norms that help to protect all people everywhere from severe political, legal, and social abuses. These rights exist in morality and in law at the national and international levels. The main sources of the contemporary conception of human rights are the Universal Declaration of Human Rights and the many human rights documents and treaties that followed in international organization (Kumar 2011). Human rights are the bedrock principles which underpin all societies where there is rule of law and democracy. Since the end of the Second World War, the core importance of human rights has been universally acknowledged. Today, against a backdrop of multiple conflicts, humanitarian emergencies, and severe violations of international law, it is all the more essential that policy responses be firmly grounded in human rights and that States comply with the binding obligations they have contracted when ratifying international human rights treaties (Freeman 2017). The government and other duty bearers are under an obligation to respect, protect, and fulfill human rights which form basis for legal entitlements and remedies in case of nonfulfillment. Human rights pertain to all aspects of life. Their exercise enables all individuals to shape and determine their own lives in liberty, equality and respect for human dignity (Kalin and Kunzil 2009). Human rights encompass civil, political, economic, social, and cultural rights, as well as the collective rights of peoples. Basically human rights are commonly understood as being those rights which are inherent to human being who are entitled to enjoy his or her human right without any distinction as to race, color, sex, language, religion, political affiliation, ideology, national or social origin, property, birth, or other status.

Human Rights of Women: All the asylum seekers and refugees are entitled to all the rights and fundamental freedom. Human rights are the fundamental freedoms to all people irrespective of their caste, gender, religion, status, etc., but some countries fail to accord human rights to women. Moreover, women are often victims of human rights abuses. Women's human rights only emerged as a global movement during the United Nations Decade for Women (1976–1985), when women from many different geographic, cultural, religious, racial, and class backgrounds came together and organized to improve the status of women. It was during this decade that the United Nations sponsored several women's conferences in Mexico City in 1975, Copenhagen in 1980, and Nairobi in 1985 to evaluate the status of women and to formulate strategies for women's advancement. The Convention on the Elimination of All Forms of Discrimination Against Women is a key international agreement on women's rights adopted by the United Nations General Assembly in 1979. CEDAW is often described as an international bill of rights for women. Its preamble and 30 articles aim to eliminate gender discrimination and promote gender equality. The Convention defines discrimination against women as any distinction, exclusion, or restriction made on the basis of sex that impedes women's human rights and fundamental freedoms in the political, economic, social, cultural, or any other field.

Human Rights of Women Refugees: The basic structures and legal instruments to ensure the protection of refugees were established on

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1 January 1951, and the UN Convention Relating to the Status of Refugees was adopted in July 1951. The essential purpose of the Convention was to provide a general definition of who was to be considered a refugee and to define his or her legal status. The Statute of the Office of the United Nations High Commissioner for Refugees, adopted by the General Assembly Resolution 428 (V) on 14 December 1950, formally mandates the High Commissioner to provide international protection to refugees falling within its mandate to seek durable solutions to their problems. Since then, in accordance with the Statute, the UN General Assembly has extended the competence of UNHCR through a series of resolutions to cover returnees and displaced persons of concern to the Office. Refugees women and girls are consistently let down by the international protection system (UN 1991). In order to bridge the gap, the Convention on the Elimination of All Forms of Discrimination Against Women and UNCHR made particular concern for refugee women. On 18 December 1979, the Convention on the Elimination of All Forms of Discrimination Against Women was adopted by the United Nations General Assembly. It entered into force as an international treaty on 3 September 1981 after the twentieth country had ratified it. Among the international human rights treaties, the Convention takes an important place in bringing the female half of humanity into the focus of human rights concerns. The spirit of the Convention is rooted in the goals of the United Nations: to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women. The present document spells out the meaning of equality and how it can be achieved. In so doing, the Convention establishes not only an international bill of rights for women but also an agenda for action by countries to guarantee the enjoyment of those rights (UN 2002). Articles 10, 11 and 13, respectively, affirm women's rights to nondiscrimination in education, employment, and economic and social activities. These demands are given special emphasis with regard to the situation of rural women, whose particular struggles and vital economic contributions, as noted in Article 14, warrant more attention in policy planning.

The other human right instrument is the Declaration on the Protection of Women and Children in Emergency and Armed Conflict. The Declaration states that women and children suffer victimization during armed conflict due to suppression, aggression, colonialism, racism, alien domination, and foreign subjugation. The Declaration also requires countries to take measures to end persecution, torture, punitive measures, degrading treatment, and violence especially when they are targeted against women and children, as well as recognizing imprisonment, torture, shooting, mass arrests, collective punishment, destruction of dwellings, and forcible evictions as criminal acts (Kinnear 2011), and the other Convention to the Status of Refugees has manifested its profound concern for refugee and endeavored to assure refugees the widest possible exercise of these fundamental rights and freedom. The Refugee Convention builds on Article 14 of the 1948 Universal Declaration of Human Rights which recognizes the right of persons to seek asylum from persecution in other countries. A refugee may enjoy rights and benefits in a State in addition to those provided for in the Convention.

Due to the continuing global concerns over the increasing mass movement of refugees and migrants, in September 2016, the United Nations General Assembly (UNGA) issued the New York Declaration for Refugees and Migrants. This Declaration outlined a comprehensive refugee response framework and tasked the UNHCR to build on it to develop a global compact on refugees for adoption at the 2018 UNGA. The New York Declaration includes a strong set of commitments to refugee women and girls, including a commitment to promoting their "full, equal and meaningful participation" in finding solutions (UNGA 2016). The New York Declaration reaffirms the importance of the international refugee regime and contains a wide range of commitments by Member States to strengthen and enhance mechanisms to protect people on the move. It has paved the way for the adoption of two new global compacts in 2018 that are global

compact on refugees and global compact for safe, orderly, and regular migration. The New York Declaration sets out the key elements of a Comprehensive Refugee Response Framework (CRRF) to be applied to large-scale movements of refugees and protracted refugee situations. The CRRF focuses on the importance of supporting those countries and communities that host large number of refugees, promoting the inclusion of refugees in host communities, ensuring the involvement of development actors from an early stage, and developing a "whole-of-society" approach to refugee responses. Its four key objectives are to:

1. Ease the pressures on host countries and communities
2. Enhance refugee self-reliance
3. Expand third-country solutions
4. Support conditions in countries of origin for return in safety and dignity (UNCHR, UNGA 2016).

In the 2030 Agenda for Sustainable Development, it was pledged that no one would be left behind and it met for all nations and peoples from all segments of the society. The 2030 Agenda makes clear that it will facilitate orderly, safe, regular, and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies. The needs of refugees, internally displaced persons, and migrants are explicitly recognized. The Agenda has also made it clear that it will take steps to address the particular vulnerabilities of women and children during the journey. This includes their potential exposure to discrimination and exploitation, as well as to sexual, physical, and psychological abuse, violence, human trafficking, and contemporary forms of slavery. It also ensures that the large movements of refugees and migrants to mainstream a gender perspective, promote gender equality and the empowerment of women and girls, and also protect the human rights especially sexual and gender-based violence and access to sexual and reproductive healthcare services. At the same time, it also recognizes the significant contribution and leadership of women in refugee and migrant communities, toward local solutions and opportunities (UN 2016).

Conclusion

The mass displacements of populations have been intimately linked with violently contested legitimacy of the State, its institutions, and their incumbents. Approximately half of the total numbers of refugees are women and girls. Conflict and disaster threaten every aspect of women's and girls' lives, often in ways that are quite distinct from men and boys. The refugee women and girls who are often viewed and treated, combined with gender discrimination, can put them in situations that exacerbate or create vulnerability. They face many barriers toward accessing the protections that should be available to all refugees and, equally importantly, barriers to participation in planning and decision-making, economic empowerment, and peace building. Despite having numerous international laws and humanitarian rights, the capacities and needs of refugee women and girls are too often overlooked. They are underserved, poorly protected, and excluded from decision-making processes. The barriers run the range, from inaccessible asylum systems and gender stereotyping needs assessments that limit the access to education, reproductive healthcare, and safe livelihood opportunities. The detention of migrants, including refugee women and children, is on the rise as both a deterrent and a control mechanism with increase in gender-based violence that is prevalent throughout the displacement cycle yet remains unreported and sometimes not addressed.

Cross-References

▶ Convention on the Elimination of All Forms of Discrimination Against Women
▶ Female Migration and the Global Economy
▶ Gender Power Relations in the Medical Profession
▶ Gender Wage Gap: Causes, Impacts, and Ways to Close the Gap

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