



## AN ANALYSIS OF THE INTERNATIONAL INSTRUMENTS FOR PREVENTION OF THE CRIME OF FEMALE FOETICIDE AND INFANTICIDE

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### Abstract

Women play a key role in development, both in the context of society and family at large, including its economy as well as social system. But this important section of the society is facing the evils of female foeticide and infanticide all over the world. Though India is not an exception, the countries that face these evils are China, South Korea, Vietnam, Pakistan, Nepal, South Caucasus, Azerbaijan, Georgia, Albania, Liechtenstein, Nigeria and Tunisia. If we also see the status of sex selection across the world, the statistics is very horrified and girl child all over the world is in danger of female foeticide and infanticide. The international community has taken various measures, convened conferences and adopted Conventions under the auspicious of United Nations for protection of girl child. But the success of these measures depends on the effective implementation mechanism which has to be adopted by the State Parties. . Although the United Nations since its inception has focused on the advancement of women, but they are still discriminated and their rights have been frequently violated by the dominant section of the society. India is country which stipulates equality regardless

of gender. We claim to be a member of a civilized society but even in many well educated societies a girl child is hardly welcomed.

**Keywords:** Female Foeticide, Female Infanticide, Girl Child, United Nations

### Introduction

Worldwide there is a growing consensus that all human beings are born free and equal in dignity and rights and that the human rights of all individuals, including children and women need to be respected. This is reflected in many United Nations (UN) and International Labour Organization (ILO) Conventions that have been developed by the world community, and have been ratified in the majority 91 of countries.<sup>1</sup>

There are a lot of initiatives that are being taken up by the international community for protection of women and girl child, but especially girl child is not fully protected from the evils of female foeticide and infanticide as the national governments in various countries act negligently towards the protection of the girl child and there is no effective implementation mechanism for giving full effect to these international instruments.

### The worldview of Female Foeticide and Infanticide

#### China

In Chinese societies, son preference is deeply rooted, including traditionally-held Confucian values which are strongly patrilineal. The “one-child” policy that was introduced in 1980 with the goal of slowing

<sup>1</sup> Moly Kuruvilla(2011), Discrimination against Girl Child-The Trajectory of missing girls, Gyan publishing House, p73



down the country's population growth ended up creating huge gender imbalance. According to the Population Research Institute, at least 9,615,875 sex selective abortions had taken place in China in the years between 2000 to 2014.<sup>2</sup>

Record states that in Chinese society pre-natal sex determination is banned in 1989 itself, but in practical parlance, it is till now frequently performed due the existence of Confucius traditions, various economic and cultural factors.<sup>3</sup>

### South Korea

South Korea presents a unique exception to the troubling trend of increasing large sex selection ratios in Asia.<sup>4</sup> But before the ratio improved in Korea, new reproductive technologies and new mindsets helped to make sex selective abortion prevalent in Korea, particularly in 1980s. In 2008 the Korean Constitutional Court lifted ban on doctors revealing the sex of the unborn child, citing normal sex ratios as evidence that country had moved beyond son preference and sex selection.<sup>5</sup>

In South Korea the practice of sex selective abortion was banned in 1987 and after this

year there are no instances of the continuation of this practice.<sup>6</sup>

### Vietnam

In Vietnam also female foeticide and infanticide reportedly gained ground in the last decade. According to the Population research Institute, at least 555,002 sex selective abortions had taken place in Vietnam in years between 2000 and 2014. The yearly average of sex selective abortion is 37,000 or daily average of 101.4.<sup>7</sup>

### Pakistan

According to the Population Research Institute, at least 1,280,228 sex selective abortions had taken place in Pakistan in the years between 2000 and 2014. Pakistan is probably the region where sex selection is least documented in Asia. There is no birth registration data in Census and Pakistan's situation is known only via a sample population survey conducted in the country.

### Nepal

In Nepal, abortion has been legal since 2002 for cases in which the health of the mother or child is at risk, in cases of rape or if the woman is not of sound mind. There also selective and forced abortions are illegal.

<sup>2</sup> UNFPA(2010), UNFPA First Agency to Campaign against Sex Selection in China”

<sup>3</sup> Ending Discrimination at the womb: Ethical perspective on tackling female foeticide in Asian countries, *Ethics, Medicine and public Health*, (Volume6, July-September, 2018) pp. 52-58, Retrieved from

<https://www.sciencedirect.com/science/article/pii/S2352552518300938>

<sup>4</sup> Preventing gender-biased sex selection: an interagency statement OHCHR, UNFPA, UN and UNO. Retrieved on October 31, 2018, from

[http://www.unfpa.org/sites/default/files/resource-pdf/Preventing\\_gender-biased\\_sex\\_selection.pdf](http://www.unfpa.org/sites/default/files/resource-pdf/Preventing_gender-biased_sex_selection.pdf)

<sup>5</sup> Monica Sharma(2008, January), Twenty First Century Pink or Blue:Hoe sex selection Technology Facilitates Gendercide and what we can do about it, *Family Court Review* 46

<sup>6</sup> supra. At 44

<sup>7</sup> Population Research Institute, Sex Selective Abortion around the World, Retrieved on 23<sup>rd</sup> February, 2020 from

<http://www.pop.org/content/sexselective-abortion>



There is lack of credible data to count Sex ratio at birth in Nepal because the Census data does not include SRB (Sex Ratio at Birth) figures and Nepal Demographic and Health Surveys (NDHS) which provides estimates of SRB had a small sample of births despite being a nationally representative survey. Most recent estimates of SRB for Nepal by the United Nations have been fairly consistent at 105 males per 100 females for the period of 1950-2010.<sup>8</sup>

### South Caucasus

As a result of the practice of sex selective abortion, mostly in the South Caucasus and parts of South-East Europe, an estimated 1,71,000 girls are reportedly missing in the region and there is growing surplus of men.<sup>9</sup> After the collapse of the Soviet Union in 1991, there has been rise in sex ratios at birth in some states of the Caucasus mainly due to the importation of cheap portable ultrasound machines.

### Azerbaijan

According to a 2012 report by the Guttmacher Institute, Azerbaijan has the highest total abortion rate in the world, with women having on an average 2.3 abortions in their lifetime. Between 2005-2009, almost 10 percent of potential female births in Armenia and Azerbaijan occurred because the women were forced to abort female fetus.<sup>10</sup> According to Population Research Institute, at least 105,418 sex selective abortions had taken place in Azerbaijan in the years 2000-2017.<sup>11</sup>

### Armenia

According to the official records, the sex ratio of Armenia started to rise significantly from 1993.<sup>12</sup> Presently 114.8 boys are born for every 100 girls in Armenia. The imbalance is particularly dramatic for third births: the record level of 173 sons born for every 100 daughters has no known equivalent anywhere else in the world.<sup>13</sup>

<sup>8</sup> Marc Michael(2013), Lawrence King, et al. The Mystery of Missing Female Children in the Caucasus: An Analysis of Sex Ratios by Birth Order. Retrieved on June 12, 2019, from <http://researchonline.ishtm.ac.uk/1130041/1/3909713.pdf>

<sup>9</sup> Population Research Institute, Sex Selective Abortion Around the World. Retrieved on June 12, 2019, from <http://www.pop.org/content/sexselective-abortion>

<sup>10</sup> Sex selective abortions worry Azerbaijan. Retrieved on June 12, 2019, from <http://www.aljazeera.com/indepth/features/2013/09/sex-selective-abortion-worry-azerbaijan-2013930757245318.html>

<sup>11</sup> Azerbaijan pressured over sex selective abortions. Retrieved on June 12, 2019, from

<http://www.aljazeera.com/news/2017/06/azerbaijan-pressured-sex-selective-abortions-150621124644074.html>

<sup>12</sup> UNFPA, the Republic of Armenia (ROA) Ministry of Health Report, Report: Prevalence of and Reasons for sex selective Abortions in Armenia, Yerevan. Retrieved on June 12, 2019, from <http://www.unfpa.am/sites/default/files/sex-selective-abortions-report-eng.pdf>

<sup>13</sup> UNFPA, 93,000 women to be missing in Armenia by 2060, if high pre natal sex selection rate remains unchanged. Retrieved on June 12, 2019, from <http://eeca.unfpa.org/news/93000-women-to-be-missing-armenia-2060-if-high-prenatal-sex-selection-rate-remains-unchanged>



### Georgia

Georgia has a patriarchal society and according to the latest report, the sex ratio is 111.8 male births per 100 female births.<sup>14</sup> According to the Population Research Institute, at least 22,881 sex selective abortions had taken place in Georgia in years between 2000 and 2016 or at an average of 1,525 per year.<sup>15</sup>

### Albania

In 1995, the government of Albania enacted comprehensive legislation relating to abortion which allowed abortion up to the twenty second week of pregnancy, if the pregnancy is the result of rape or sex crime and provided for establishment of a commission consisting of a physician, a social worker and a lawyer.<sup>16</sup> While there is no information about abortion prior to the collapse of the Communist regime, the latest official data give abortion of 200 per 100 live births in 2002 and 272 in 2007.<sup>17</sup> It is reported that as many as 15,000 female foetuses might have been aborted in Albania between 2000 and 2010 alone.<sup>18</sup>

<sup>14</sup> Supra at, page

<sup>15</sup> *ibid*

<sup>16</sup> Sex selective abortion trending in Albania. Retrieved on June 13, 2019, from <http://womensnewa.org/2003/01/sex-selective-abortion-trending-in-Albania/>

<sup>17</sup> *ibid*

<sup>18</sup> UNFPA, Preventing gender-biased sex selection in Eastern Europe and Central Asia. Retrieved on June 13, 2019, from [http://www.unfpa.org/sites/default/files/resources-pdf/GBSS%20Brief\\_WEB.pdf](http://www.unfpa.org/sites/default/files/resources-pdf/GBSS%20Brief_WEB.pdf)

<sup>19</sup> Director-General of External Policies of the European Parliament, Genocide: The Missing

### Liechtenstein

According to the report by the Director General of external Policies in 2012, the country has the highest rate of sex imbalance in the world, which is 126 males per 100 females.<sup>19</sup>

### Nigeria

Although Nigeria has strict abortion law, according to an estimate, about 7,60,000 abortions occurs annually which has become a threat to the women society.<sup>20</sup>

### Tunisia

Among all the countries in Africa, Tunisia has the highest sex ratio at birth which is 107 males per 100 females. Between 2000 and 2014, at least 19,369 abortions had taken place there according to the Population Research Institute which is daily average of 3.5.<sup>21</sup>

### India

India is one of the few countries in the world where there are more males than female. India's general sex ratio throughout the 20<sup>th</sup> century as well as in the 21<sup>st</sup> century reflects a masculine sex ratio. In 1901, the Indian

Women? Retrieved on June 13, 2019, from [http://ecologic.eu/sites/files/project/2013/the\\_missing\\_women.pdf](http://ecologic.eu/sites/files/project/2013/the_missing_women.pdf)

<sup>20</sup> Ine Nandi(2013), Son-Preference-A violation of Women's Human Rights: A case study of Igbo Custom in Nigeria, Journal of Politics and Law, (Volume 6,No.1), p23

<sup>21</sup> How abortion is regulated around the world,Pew Research Institute. Retrieved on June 13, 2019, from <http://www.pewresearch.org/fact-tank/2015/10/06/how-abortion-is-regulated-around-the-world/>



general sex ratio was 972 female per 1000 male;<sup>22</sup> it declined steadily in the decades from 1901 to 1971 with a negligible increase of only one point in 1951.<sup>23</sup> It improved marginally to 934 in 1981 from 930 in 1971. In 1991, there was again a decrease in the sex ratio and it recorded 927 females per thousand males.<sup>24</sup> There is a further improvement in general sex ratio with 940 females in 2011.

If we consider the sex ratio after the 2011 census, India's sex ratio, or the number of females per 1,000 males, declined to 896 in 2015-17 from 898 in 2014-16, according to a government survey.<sup>25</sup> The country's sex ratio at birth (SRB), which is the number of females born per 1,000 males, is showing a worrying decline, according to a Sample Registration System (SRS) survey. The figure stood at 896 for 2015-17, down from 898 in 2014-16 and 900 in 2013-15. Of the top 22 states for which data is available, 14 had a sex ratio better than the all-India average, while eight, including Delhi, had an inferior number. With a sex ratio of 833, Haryana continues to carry the ignominy of being the most unfair to the girl child among the surveyed states.<sup>26</sup>

It is to be noted that most of the data relating to sex ratio are available till 2017.

## International Instruments against female foeticide and infanticide

### 1. Charter of united Nations, 1945<sup>27</sup> and other International Organizations under the United Nations Organization (UNO)

The Charter of the United Nations was signed on 26<sup>th</sup> June, 1945 at San Francisco and it came into enforcement from 24<sup>th</sup> October, 1945. From the very beginning, this Charter has supported the rights of every woman by promoting and encouraging total respect for human rights without distinction as to sex, language and religion. Under this Charter the United Nations was established which was a global policy framing body, exclusively for gender equality. The preamble of the charter itself values the pride and worth of human and guarantees essential measures irrespective of the gender of the human being.<sup>28</sup> The Charter promotes stability by providing equal privileges for men and women, equality in high standard of living, employment and social development.

United Nations Economic and Social Council (ECOSOC) is one of the most important organs which coordinates the economic and social work of the United Nations. The female foeticide and infanticide are considered as social and economic issues which are to be dealt with by the ECOSOC. The Council condemns the evil practices of female foeticide and infanticide and recommends its member states the nations who are facing the ill effects of these crimes

<sup>22</sup> census of India, , general population table 1901

<sup>23</sup> *ibid*, general population table from 1901-1971

<sup>24</sup> *id*, general population table 1991

<sup>25</sup> Why Declining Sex Ratio in India is a cause to worry. Retrieved on December 22, 2019, from [livemint.com/news/india/why-the-declining-sex-](http://livemint.com/news/india/why-the-declining-sex-)

[ratio-in-india-is-a-cause-of-worry-1563816826590.html](http://ratio-in-india-is-a-cause-of-worry-1563816826590.html)

<sup>26</sup> *supra*, at 214

<sup>27</sup> Ian Brownlie and Guy S. Goodwin, Basic Documents on Human Rights, Oxford University Press(Fourth edition), p.273

<sup>28</sup> *ibid*



should prohibit or restrict the misuse of medical technology.<sup>29</sup> The Council also recognizes the significance of NGO's which support young women who give birth to girl child, with food and other shelter. It also emphasized the charitable organizations to have proper guidelines regarding adoption.

The United Nations Children's Fund (UNICEF) is a programme created under the auspicious of the United Nations General Assembly on 11<sup>th</sup> December to provide health care for children who were affected by the world War II. UNICEF provides humanitarian and progressive development services mainly to the developing countries and India is not an exception. Since 1949, UNICEF is providing all possible facilities to India for better protection of the children of the country.<sup>30</sup> It has a very strong network with sister UN agencies, voluntary organizations, various women organizations and generous donors who are readily coming up to provide assistance to this organization when needed. According to UNICEF, infanticide is practiced all over the world as a custom but female foeticide is a contribution of the new technologies and medical professionals who are working with the full consent of the society.<sup>31</sup> UNICEF is also of the opinion that strict laws and their proper implementation can help to a great extent for elimination of these social evils.

International Humanist and Ethical Union (IEHU) is an organization to promote secular humanist and ethical culture was founded in Amsterdam in 1952. It has a

consultative status with the UN Economic and Social Council. According to IEHU, discriminations against women and other issues relating to women affect the entire society.<sup>32</sup> IEHU is in support of birth control measures for better economic development of a society but it does not support female foeticide and infanticide. It is also of the opinion that women should have a right to know about their health condition and they should be provided freedom to make choices about their pregnancy.<sup>33</sup>

Apart from these international organizations UN Women was created by the United Nations on July 2010 for gender equality and women empowerment. UN Women is a merger of 4 distinguished parts of United Nations System-

1. Division for Advancement of Women (DAW)
2. International Research and Training Institute for Advancement of Women (INSTRAW)
3. Office of the Special Advisor on Gender Issues and Advancement of Women (OSAGR)
4. United Nations Development Fund for Women (UNIFM)

So, it is clear from the above discussion that the prime object of the United Nations is to help the countries all over the world to eradicate the social evils that are prevailing in every society. It also gives financial and technical assistance to the developing and underdeveloped countries so that they can

<sup>29</sup> World Conference on Women. Retrieved on June 15, 2019, from <https://wmhsum.org/media/bg-guides/world-conference-on-women-2016-pdf>

<sup>30</sup> United Nations Children's Fund. Retrieved on June 16, 2019, from [un.org/unicef-united-nations-children-fund](http://un.org/unicef-united-nations-children-fund)

<sup>31</sup> *ibid*

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[https://en.wikipedia.org/wiki/Humanist\\_International](https://en.wikipedia.org/wiki/Humanist_International), retrieved on June 16, 2019

<sup>33</sup> [https://iheu.org/about/about\\_iheu](https://iheu.org/about/about_iheu), retrieved on June 16, 2019



uplift their standard and can place themselves on the equal footing with the developed countries.

## 2. Universal Declaration of Human Rights, 1948(UHDR)

After the Second World War, the General Assembly of the United Nations adopted the Universal Declaration of Human Rights in 1948. It is considered as the Magna Carta of all human rights as this Declaration guarantees certain basic human rights to all people irrespective of language, sex, caste etc. it recognizes the value, dignity and equality in the rights of every citizen all over the world. The basic object of UDHR is to provide all citizens over the world with inalienable human rights which are very essential for full development of human personality.<sup>34</sup>

UDHR consists of 30 Articles. The very first article of UDHR states that all human beings are born free and equal in rights and dignity.<sup>35</sup> It is clear from this Article that UDHR condemns practices like female foeticide and infanticide as it believes that every individual has an equivalent right to be conceived and appreciate all the flexibility given by the society. The rights provided under UDHR does not discriminate anyone on the grounds of race, culture, sex, language etc as these rights are considered to be universal.<sup>36</sup>

Universal Declaration of Human Rights mentions that every individual men or women have an equal right to life.<sup>37</sup> Every individual should live freely within his or her state and the girl child is not an exception. Moreover, UDHR has given responsibly

upon the national governments to guarantee security to all its citizens from internal or external forces. Therefore, it is implied that no women should be forced to abort her girl child and it is the duty of the government to provide appropriate measures for her security.

According to UDHR, every citizen all over the world should be secured against torture, inhumane and degrading treatment and punishment.<sup>38</sup> Practices like female foeticide and infanticide are instances of cruel practices which deliberately kills fetus or the newly born girl child. Also, UDHR condemns emotional torture and degrading treatment a woman has to undergo while she is pregnant as she is constantly pressurized to give birth to a male child.

UDHR guarantees equality before law and equal protection of law to all the people over the world.<sup>39</sup> Every girl child has equal right to take birth and she should be provided with a healthy environment to lead a dignified life. Therefore, every possible step should be taken by the states to eliminate evil practices like female foeticide and infanticide so that gender imbalance can be corrected.

This Declaration has provided for right to a standard of living adequate for health and well-being. Everyone should be provided with basic needs and protection whenever needed and special care and protection should be provided for motherhood and childhood.<sup>40</sup> It is evident from this Article that a woman should be provided with all the necessary facilities when she is pregnant and after child birth irrespective of the gender of

<sup>34</sup>UDHR, Preamble,

<sup>35</sup> ibid, Article 1,

<sup>36</sup> ibid, Article 2,

<sup>37</sup> ibid, Article 3,

<sup>38</sup> ibid, Article 4,

<sup>39</sup> Ibid, Article 24

<sup>40</sup> ibid, Article 25,



the child. A girl child has also right to a healthy environment to grow for full development of her personality.

Although UDHR is considered as basic document adopted by the international community for emphasizing the importance of human rights, it does not have any implementation mechanism. The states are morally bound to follow the various rights emerged in the Declaration, but they are not legally bound. In the matters of female foeticide and infanticide, the Universal declaration of Human Rights does not provide for protection of the child in mother's womb. So there should be bold steps taken by the international community for protection of the rights of girl child.

### 3. International Covenant on Civil and Political Rights (ICCPR), 1966

As the Universal Declaration of Human Rights lacks a strong implementation mechanism, the international community was of the view that the basic civil and political rights and economic, social and cultural rights should be protected through two separate covenants which will have binding effect on the state parties. Keeping this object in mind, the International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR) were adopted by the international community in 1966. These two Covenants together with UDHR is considered as International Bill of Rights which are for protection of human rights of all the citizens all over the world.

The ICCPR has 53 Articles. The Covenant promotes self-determination.<sup>41</sup> This right

means freely determine ones social, cultural, economic and political rights. It is clear from this Article that no one shall be deprived of his/her basic right and dignity and forcing for female foeticide or infanticide is direct attack on the women's dignity to live as a respectful person.

The Covenant has made strong effort to frame rules for just and humane condition for each and every individual in the world. The rights provided under ICCPR should be enjoyed by all irrespective of race, religion, language, sex, birth or other status.<sup>42</sup> The Covenant ensures equal rights of men and women<sup>43</sup> and if there is any violation or discrimination effective remedy should be provided by the appropriate government.<sup>44</sup> These provisions are for protecting women from female foeticide and infanticide. No girl child should be deprived of her right to life and if there is any violation of her basic rights, there should be proper penal provisions for punishment of the offenders.

Under the provision of ICCPR, discrimination on the basis of sex is prohibited in time of emergency also and if this provision is violated, any other state party to the Covenant has a right to inform the matter to the Secretary General of the United Nations.<sup>45</sup> This is an effective tool in the hands of every state party to stand against the social evils of female foeticide and infanticide as if there any complaint of discrimination against women or girl child, the United Nations has a right to take action against such state party.

The ICCPR has provided for right to life and it ensures that no one shall be arbitrarily

<sup>41</sup>, ICCPR, Article 1

<sup>42</sup> Ibid, Article 2(1).

<sup>43</sup> Ibid, Article 3,

<sup>44</sup> Ibid, Article 2(3)(a).

<sup>45</sup> ICCPR, Article 4,



deprived of his/her right to life.<sup>46</sup> This provision strictly condemns female infanticide as infanticide is abridging the right to life of a girl child.

The provisions of this Covenant has made it clear that no one shall be subjected to torture, cruel and inhumane treatment and no one shall be exposed to medical examination or experiment without their free consent.<sup>47</sup> Pressuring a woman to give birth to a male child and forcing her to examine the sex of the child in womb or forcing her to abort the girl child are some acts which are strictly prohibited under the provisions of ICCPR.

ICCPR also provides right to liberty to everyone.<sup>48</sup> Liberty implies the free choice of every woman whether to determine the sex of the fetus before birth or whether to give birth to a girl child or not. No one has a right to force her to do these acts.

ICCPR guarantees equality before courts and tribunals.<sup>49</sup> There shall not be any discrimination on the ground of sex. It also provides that everyone has right to privacy and no one should be subject to arbitrary intervention of his or her privacy, family, home or correspondence.<sup>50</sup> According to this Article, every woman has right to privacy and whether she wants to have a family with girl child is her choice.

Under this Covenant, a girl child is entitled to protection as a minor and any discrimination on the ground of sex is in contravention of the provisions of this Covenant.<sup>51</sup> As because a girl child should be protected according to the provisions of this Covenant, female

infanticide is strictly prohibited, a girl child should be respected as a human being and her name should be registered as soon she is born.<sup>52</sup> Equality before law and equal protection of all laws is also provided so that there can be some restrictions on the crimes of female foeticide and infanticide.<sup>53</sup>

Apart from the provisions, the ICCPR has provided for a strong implementation procedure through reporting system, inter-state communication system and individual communication system. Also there is provision for establishment of a Human Rights Committee for coordination of the activities of different State Parties. As this is a binding document, ICCPR has a lot of influence for eradicating the evils of female foeticide and infanticide.

#### 4. International Covenant of Economic, Social and Cultural Rights (ICESCR), 1966

Apart from the civil and political rights, economic, social and cultural rights are equally important for full development of the personality of every human being. ICESCR is a multilateral treaty, which main objective is to promote and grant economic, social and cultural rights to citizen of all member states. This Covenant has basically followed the economic, social and cultural rights as provided under UDHR and it has guaranteed other rights of same nature, apart from the rights provided under the Declaration. This Covenant also emphasized on right to self-determination.<sup>54</sup>

<sup>46</sup>ibid, Article 6,

<sup>47</sup> ibid , Article 7,

<sup>48</sup> ibid, Article 9,

<sup>49</sup>ibid , Article 14,

<sup>50</sup> ibid , Article 17,

<sup>51</sup> Article 24, ICCPR

<sup>52</sup> ibid

<sup>53</sup> ibid, Article 26

<sup>54</sup> ICESCR, Article 1



The Covenant wants to guarantee all economic, social and cultural rights to everyone without discrimination as to race, sex, language etc.<sup>55</sup> Every girl child has a right to be born as a person and she should be provided all the necessary rights that are essential for her existence. Female foeticide and infanticide are strictly condemned.

Through this Covenant, the state parties undertake to guarantee equal right to men and women to enjoyment of all economic, social and cultural rights.<sup>56</sup> A woman has a social right to give birth to a girl child, to have equal status as of a male member of the society and she has a right to maintain her status and dignity in the society. This can only be achieved when gender equality is encouraged by each and every society and government can adopt progressive approach for humanity.

The Covenant has emphasized on social security.<sup>57</sup> Social security can be achieved when both men and women fraternities are secured against all kinds of discrimination. It is clear from this provision that through this Covenant the female fetus and a girl child is the responsibility of the government and it is the desirable that government will take effective steps for securing social security to all.

The Covenant has also recognized adequate protection to mothers during a reasonable period before and after childbirth.<sup>58</sup> There are various government policies, legislations and other guidelines which protect the mother and the new born child irrespective of the gender of the child.

The Covenant has provided for right of everyone to the enjoyment of the highest attainable standard of physical and mental health.<sup>59</sup> For this purpose, the state parties have to take appropriate measures for the reduction of still birth rate and infant mortality rate.<sup>60</sup> This provision strictly condemns the practices of female foeticide and infanticide. Any attempt which will lead to still birth of a girl child or any act which will result in increase in infant mortality rate is in contravention of the provisions of this Covenant.

So the International Covenant on economic, social and cultural right has certain specific provisions which are preventing the commission of the crime of female foeticide and infanticide.

### **5. Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), 1979**

Discrimination against women is an age old issue and although there is UDHR, ICCPR and ICESCR, the international community was of the view that, keeping in mind the diversity and intensity of the problem, there should be a specific convention which will be concerned especially on the issues relating to women and girl child.

The convention has defined the term 'discrimination' as any restriction, exclusion or distinction on the basis of sex which has the effect of nullifying the recognition of women as a member of the society.<sup>61</sup> So, where the women's dignity is lowered only

<sup>55</sup> *ibid*, Article 2,

<sup>56</sup> *ibid*, Article 3,

<sup>57</sup> *ibid*, Article 9

<sup>58</sup> *ibid*, Article 10(2)

<sup>59</sup> ICESCR, Article 12(1)

<sup>60</sup> *ibid*, Article 12(2)(a)

<sup>61</sup> CEDAW, Article 1



on the basis of sex and she is not given the right to choose whether she will carry her own child or not, this amounts to discrimination. The crime of female foeticide and infanticide has the tendency to lower the status of the mother and the girl child and such practice is condemnable under the provisions of the convention.

Right to equality of men and women is also provided under the provisions of the convention.<sup>62</sup> Equality can be achieved when efforts will be taken by the government to protect women and girl child and every legislative measure which is in derogation of the provisions of the convention should be abolished so that women are not discriminated.

The state parties of the convention should take appropriate measures to modify the social and cultural patterns of conduct of men and women to eliminate all customary practices which are based on superiority or inferiority of either of sexes or stereotyped role for men and women.<sup>63</sup> Most of the countries of the world are patriarchal and there is a tendency of the society that the opinion of male person overrides the opinion of the women. This is the main reason for commission of the crimes of female foeticide and infanticide as in most of the cases the desire or the opinion of the women is unheard. This particular stereotype practice is condemned by CEDAW.

CEDAW has specifically provided for non-discrimination in the field of health care services including those related to family planning.<sup>64</sup> The convention has emphasized that in cases of family planning or whether a

girl child to be kept by the parents or not, should be decided by both the parents. Also the convention has directed state parties to provide proper facilities to the mother during pregnancy and post-natal period without distinction as to sex of the new born.<sup>65</sup> The Convention has given equal importance to the rural women also in the field of health care services.<sup>66</sup>

Under the Convention women is given equal right to women in matters of marriage and family. Every woman has same right as parents of the child and she can choose the best for her child as welfare of the child is considered as paramount consideration.<sup>67</sup> It is evident from this Article that if the woman considers it proper to give birth to the girl child and bring her up as a responsible parent, then no one can force her for female foeticide and infanticide as it will be in violation of the provisions of the Convention.

CEDAW has provided for a strong implementation procedure so that the provisions of the Convention can be given full effect. The Convention under Article 17 made a provision for the establishment of a Committee on Elimination of Discrimination Against Women for the purpose of considering the progress made in the implementation of the provisions of the Convention. After ratification to the Convention by thirty-five states, now the CEDAW Committee consists of twenty three members who have expertise in the field of protection of the rights of women as well as girl child.

The state parties to the Convention shall report periodically to the Committee on the

<sup>62</sup> *ibid*, Article 2

<sup>63</sup> *ibid*, Article 5(a)

<sup>64</sup> *ibid*, Article 12(1)

<sup>65</sup> CEDAW, Article 12(2)

<sup>66</sup> *ibid*, Article 14

<sup>67</sup> *ibid*, Article 16(d)



legislative, judicial, administrative or other measures which they have adopted to give full effect to the provisions of the Convention. The Committee after examination of the reports makes its suggestions and recommendations based on their considerations. It can also invite United Nations specialized agencies to submit reports for consideration and if necessary can take information from non-governmental organizations. Thus the Committee acts as a monitoring system to oversee the proper implementation of CEDAW and has to report annually to the UN General Assembly through the Economic and Social Council.

If analysis of the implementation of the CEDAW is considered, it can be seen that every possible step has been adopted by the UN to ensure that all information can be gathered about the proper implementation of the provisions of the Convention. As the Committee can gather information from various sources apart from the report submitted by the State parties, the actual scenario relating to the status of women in a specific country becomes clear before them and they can provide the necessary suggestions as required by the country.

Moreover, the first Optional Protocol to the Convention on Women has provided for individual communication system through which victims of sex discrimination, sexual exploitation and other abuses can report to the Committee and the Committee after proper inquiry can give appropriate recommendations to the individual or group of individuals.

Though the provisions of the Convention has provided for a strong implementation procedure, the major weakness of this process is that provision for inquiry which allows the Committee to initiate a

confidential investigation by one or more of its members when there is authentic information regarding systematic violation of the provisions of CEDAW is optional and may be refused by the State Parties at the time of ratification of the Optional Protocol by making a declaration. Moreover, the declaration regarding competence of the Committee can be withdrawn at a later time.

In cases of female foeticide and infanticide, the confidential inquiry procedure can give a fruitful result as these activities are generally done behind closed doors and through the reports submitted by the state parties, there is very less possibility to gather appropriate information about the commission of these crimes. But as there is provision for making declaration as to the competence of the Committee, the State Parties in whose territory there is frequent occurrence of the crime of foeticide and infanticide, may refrain from signing the declaration or may withdraw their consent. In that situation, unless there is any individual communication, the Committee has rely only upon the reports that have been submitted by the State Parties. The implementation of CEDAW is important as it enables victims of discrimination to communicate the Committee.

#### **6. Convention on the Rights of the Child (CRC), 1989**

Every child is special and children below the age of 18 years need special care and protection. Taking into account the special status of a child, the United Nations has adopted the Convention to provide certain specific human rights to the children all over the world.

The rights provided under CRC are available to each and every child irrespective of the



gender of the child.<sup>68</sup> A girl child can avail all the protections that are provided under the Convention and if there is any discrimination, it will be violative of the provisions of the Convention. The state parties to the Convention have the responsibility to take appropriate legislative and administrative measures so that the protection and care of every child is guaranteed.<sup>69</sup> The protection and care of girl child is also included under this Article and if the parents of the girl child do not work as responsible parents, the government can take appropriate measures through proper legislative or administrative action.

The state parties to the Convention has recognizes right to life of every child and it is the duty of the state to ensure to the maximum extent possible the survival and development of the child.<sup>70</sup> This Article clearly states that CRC condemns female foeticide and infanticide as it is contrary to the concept of right to life. As this Convention emphasizes on survival and development of children, it is the duty of every state party to ensure that a girl child can survive she can develop in a healthy environment.

CRC also emphasized on reducing infant and child mortality.<sup>71</sup> It is the duty of every state party to ensure pre-natal and post-natal health care to the mother of the child.<sup>72</sup> For diminishing infant and child mortality, it is essential that every effective step is taken by the state parties to prohibit female

infanticide. Also pre-natal and post-natal health care should be provided to the mothers irrespective of the gender of the child.

It is the duty of every state party to CRC to protect a child from all forms of exploitation which is prejudicial to the child's welfare.<sup>73</sup> Female foeticide and infanticide are instances of exploitation which a girl child has to suffer and for these evils desired growth of women fraternity is yet to be achieved. The Convention also prohibits all forms of torture, inhumane and degrading treatment to a child.<sup>74</sup> Killing of female fetus or killing of girl child amount to cruelty which is strictly prohibited under the Convention.

CRC also has provided for implementation of the Convention through reporting system. There is no provision for interstate communication and individual communication system under the provisions of the Convention.

### 7. Millennium Development Goals (MDG), 2000

The United Nations Millennium Development Goals are eight goals that all 191 UN member states have agreed to try to achieve by the year 2015.<sup>75</sup> The United Nations Millennium Declaration, signed in September 2000 commits world leaders to combat poverty, hunger, disease, illiteracy, environmental degradation, and discrimination against women.<sup>76</sup> The MDGs are derived from this Declaration,

<sup>68</sup> Article 2, CRC

<sup>69</sup> CRC, Article 3(2).

<sup>70</sup> CRC, Article 6

<sup>71</sup> CRC, Article 24(a)

<sup>72</sup> *ibid*, Article 24(d)

<sup>73</sup> *ibid*, Article 36

<sup>74</sup> *ibid*, Article 37

<sup>75</sup> Millennium Development Goals(MDGs); retrieved on June 31, 2019 from

[https://www.who.int/topics/millennium\\_development\\_goals/about/en/](https://www.who.int/topics/millennium_development_goals/about/en/).

<sup>76</sup> *ibid*



and all have specific targets and indicators.

Out of the eight MDGs goal 3 and 4 has provided for promotion of gender equality and women empowerment<sup>77</sup> and reducing infant child mortality.<sup>78</sup>

Gender equality has been one of the motives of the Millennium Development Goals, which were set for the year 2015.<sup>79</sup> It has been decided that Nepal will address the crucial issue of foeticide and infanticide in order to work out the objectives and principles to eliminate such social evil from every society of the world. Pre- natal sex selection and sex selective abortion should be treated as brutal violence against women, which affects their basic human right.<sup>80</sup>

According to the Millennium Development Goals Report, 1st July 2013 there are many girls all over the world who are denied their basic human right and killed before or after birth. Even countries like India have claimed that the government has worked on the issue of female foeticide following the principle laid down by the Millennium Development Goals which aim at improved Medicare, law child mortality, good condition of health care institutions etc. Yet the society has not allowed many girls to take birth and which is why practices like female foeticide are still

taking place in India and many parts of the world.<sup>81</sup>

However there were many who criticized the principles of Millennium Development Goals stating that the goals had various demerits, drawbacks and loopholes. These loopholes are-

Taking the goals of gender equality into consideration many scholars felt that the framers of the millennium development goals have left out the essential ideals and elements of equality, which resulted in a major drawback of the Millennium Development Goals. The objectives laid down by the Millennium Development Goals lack emphasis and are not clear about their future after the year 2015.<sup>82</sup>

Secondly, the millennium declaration states many areas, which need to be focused but the 8 goals limit the framework of the objectives of the United Nation initiative.<sup>83</sup>

Lastly, the basic issues like gender and reproductive rights need to be tackled before the United Nations sets up new goals after the year 2015. It is important for countries to realize that without education and gender equality, most of the targets set by the Millennium Development Goals by the United Nations cannot be achieved. Gender equality is not

<sup>77</sup> MDG, Goal 3

<sup>78</sup> MDG, goal 4

<sup>79</sup> *ibid*

<sup>80</sup> *ibid*

<sup>81</sup> *ibid*

<sup>82</sup> The Millennium Development goals Report; retrieved on March 29, 2020, from

[https://www.un.org/millenniumgoals/2015\\_MDG\\_Report/pdf/MDG%202015%20rev%20\(July%201\).pdf](https://www.un.org/millenniumgoals/2015_MDG_Report/pdf/MDG%202015%20rev%20(July%201).pdf)

<sup>83</sup> *ibid*



an easy issue, which can be solved in few months or years.<sup>84</sup>

These goals were succeeded by the Sustainable Development Goals in 2015.

### 8. The United Nations Sustainable Development Goals (SDGs), 2015

The Sustainable Development Goals are the blueprint to achieve a better and more sustainable future for all. They address the global challenges we face, including those related to poverty, inequality, climate change, environmental degradation, peace and justice.<sup>85</sup> The 17 Goals are all interconnected, and in order to leave no one behind, it is important that we achieve them all by 2030.<sup>86</sup>

Out of the 17 goals, Sustainable Development Goal (SDG)-5 aims to achieve gender equality and empower all women and girls. The SDG-5 identified nine targets as given below<sup>87</sup>

According to the UN, "gender equality is not only a fundamental human right, but a necessary foundation for a peaceful, prosperous and sustainable world."<sup>88</sup> Providing women and girls with equal access to education, health care, decent

work, and representation in political and economic decision-making processes will nurture sustainable economies and benefit societies and humanity at large. A record 143 countries guaranteed equality between men and women in their constitutions as of 2014.<sup>89</sup> However, another 52 had not taken this step.<sup>90</sup> In many nations, gender discrimination is still woven into the fabric of legal systems and social norms. Even though SDG5 is a stand-alone goal, other SDGs can only be achieved if the needs of women receive the same attention as the needs of men.<sup>91</sup> Issues unique to women and girls include traditional practices against all women and girls in the public and private spheres, such as female genital mutilation.<sup>92</sup>

Child marriage has declined over the past decades, yet there is no region that is currently on track to eliminate the practice and reach SDG targets by 2030.<sup>93</sup> If current trends continue, between 2017 and 2030, 150 million girls will be married before they turn 18.<sup>94</sup> Though child marriages are four times higher among the poorest than the wealthiest in the world, most countries need to accelerate progress among both groups in order to reach the SDG Goal 5 target to eliminate child marriage by 2030.<sup>95</sup>

<sup>84</sup> *ibid*

<sup>85</sup> About the Sustainable Development Goals. Retrieved on March 28, 2020, from [in.org/sustainabledevelopment/sustainable-development-goals/](https://in.org/sustainabledevelopment/sustainable-development-goals/)

<sup>86</sup> Sustainable Development Goals. Retrieved on March 23, 2020, from [en.wikipedia.in/wiki/sustainable\\_development\\_goals](https://en.wikipedia.in/wiki/sustainable_development_goals).

<sup>87</sup> UN Sustainable Development Knowledge Platform. Retrieved on March 28, 2020, from <https://sustainabledevelopment.un.org/menu=1300>

<sup>88</sup> United Nations Gender Equality and Women's Empowerment. Retrieved on March 28, 2020, from [un.org/sustainabledevelopment/gender-equality/](https://un.org/sustainabledevelopment/gender-equality/)

<sup>89</sup> *ibid*

<sup>90</sup> *ibid*

<sup>91</sup> SDG-5(1)

<sup>92</sup> SDG-5(3)

<sup>93</sup> Progress for every child in the SDC Era. Retrieved on March 23, 2020, from [https://data.unicef.org/wp-content/uploads/2018/03/Progress\\_for\\_Every\\_Child\\_V4.pdf](https://data.unicef.org/wp-content/uploads/2018/03/Progress_for_Every_Child_V4.pdf)

<sup>94</sup> From Promise to Impact: Ending Malnutrition by 2020. Retrieved on March 29, 2020, from <https://data.unicef.org/wp-content/uploads/2016/06/130565-1.pdf>

<sup>95</sup> SDG-5(3)



Achieving gender equality will require enforceable legislation that promotes empowerment of all women and girls and requires secondary education for all girls.<sup>96</sup> The targets call for an end to gender discrimination and for empowering women and girls through technology.<sup>97</sup> Some have advocated for "listening to girls". The assertion is that the SDGs can deliver transformative change for girls only if girls are consulted. Their priorities and needs must be taken into account. Girls should be viewed not as beneficiaries of change, but as agents of change. Engaging women and girls in the implementation of the SDGs is crucial.<sup>98</sup>

### **Protection of girl child through World Conferences on Women**

The Beijing Conferences built on political agreements reached at the three previous global conferences on women in the year 1975, 1980 and 1985 respectively, and consolidated five decades of legal initiatives aimed at securing the equality of women with men. Before discussing the Beijing Conference, we have to discuss the three world conference on women whose goals were further carried forward by the Beijing Conference.

#### **The first World Conference on Women, 1975**

The Commission on the Status of Women called for the organization of the first world

conference on women to coincide with International Women's Year.<sup>99</sup> This Conference, which was held between 19 June and 2 July in Mexico, was attended by 133 governmental participants and 6000 NGO participants. The Conference wanted to take up a World Plan of Action for the implementation of the goals set out by the International Women's Year and led to the creation of both the United Nations Decade for Women and follow up conferences to evaluate the progress that has been for elimination of inequality between men and women.<sup>100</sup> Two important documents were adopted in the conference, the World Plan of Action which had specific targets for improvement of the women race and the Declaration of Mexico on the Equality of Women and Their Contribution to Development and Peace, to discuss about the impact of foreign policy on women.

#### **The Second World Conference on Women, 1980**

The Second World Conference took place between 14 and 30 July, 1980 in Copenhagen, Denmark to discuss the progress and failure to fulfill the objectives that were taken in the first world conference. The significant development of this conference was the adoption of the Convention on the Elimination of All Forms

<sup>96</sup> Sustainable Development Goal-5: Gender equality. Retrieved on March 23, 2020, from <http://www.unwomen.org/en/news/in-focus/women-and-the-sdgs/sdg-5-gender-equality>

<sup>97</sup> SDG-5(8)

<sup>98</sup> Anna Leach (June 2, 2015). 21 ways the SDGs can have the best impact on girls, The Guardian. Retrieved from [https://www.theguardian.com/global-development-](https://www.theguardian.com/global-development-professionals-network/2015/jun/02/21-ways-the-sdgs-can-have-the-best-impact-on-girls)

[professionals-network/2015/jun/02/21-ways-the-sdgs-can-have-the-best-impact-on-girls](https://www.theguardian.com/global-development-professionals-network/2015/jun/02/21-ways-the-sdgs-can-have-the-best-impact-on-girls)

<sup>99</sup> World Conference on Women. Retrieved on July 4, 2019, from [www.unwomen.org/un/how-we-work/intergovernmental-support/world-conferences-on-women](http://www.unwomen.org/un/how-we-work/intergovernmental-support/world-conferences-on-women)

<sup>100</sup> World Conference on Women, 1975. Retrieved on July 4, 2019, from [http://en.wikipedia.org/wiki/World\\_conference\\_on\\_women\\_1975](http://en.wikipedia.org/wiki/World_conference_on_women_1975)



of Discrimination Against Women(CEDAW).<sup>101</sup>

### **The Third World Conference on Women, 1985**

The third The World Conference on Women, 1985 or the Third World Conference on Women took place between 15 and 26 July 1985 in Nairobi, Kenya. The main object of this Conference was to have an assessment of progress and failure in implementing the goals established by the World Plan of Action from the 1975, inaugural conference on women as modified by the World Programme of Action in the second conference. The significance of the conference was the end result of the Forward-looking Strategies for the Advancement of Women being adopted by consensus, unlike the previous two conferences. The main agenda of the conference was give a turning-point for violence against women to emerge from being a hidden topic into one which needed to be addressed. Recognizing that the goals of the Decade for Women had not been met, the conference recommended and the General Assembly approved on-going evaluation of women's achievements and failures through the year 2000.<sup>102</sup>

### **The Fourth World Conference on Women,1995**

The 1995 Fourth World Conference on Women in Beijing marked a significant turning point for the global agenda for gender equality. In this Conference, the Beijing Declaration and the Platform for Action was adopted unanimously by 189 countries. It is

an agenda for women's empowerment and considered the key global policy document on gender equality.<sup>103</sup>

The Beijing Platform for Action (POA) has specifically provided certain strategic objectives to be followed by the member states for development of girl child and certain action to be followed. These objectives are-

- Eliminate all forms of discrimination against the girl child;
- Eliminate negative cultural attitudes and practices against girls;
- Promote and protect the rights of the girl child and increase awareness of her needs and potential;
- Eliminate discrimination against girls in education, skill development and training;
- Eliminate discrimination against girls in health and nutrition
- Eliminate the economic exploitation of child labour and protect young girls at work;
- Eradicate violence against girl child;
- Promote the girl-child's awareness of participation in social, economic and political life; and
- Strengthen the role of family in improving the status of girl child.

For achieving these objectives the Governments of various states and international non-governmental organizations were directed to take up certain actions so that the main object of the Declaration can be given affect. Although the Platform of Action

<sup>101</sup> ibid

<sup>102</sup>World Conference on Women. Retrieved on December 6, 2019, from [https://en.wikipedia.org/wiki/world\\_conference\\_on\\_women\\_1985](https://en.wikipedia.org/wiki/world_conference_on_women_1985)

<sup>103</sup> World conference on Women. Retrieved on December 6, 2019 from [unwomen.org/en/how-we-work/intergovernmental-support/world-conference-on-women](http://unwomen.org/en/how-we-work/intergovernmental-support/world-conference-on-women)



has not specifically dealt with female foeticide and infanticide, it has directed the governments of its member states to take proper steps so that the practice of foeticide and infanticide can be restricted to a great extent. Beijing Platform for Action is a vital step taken by the international community for upliftment of the status of the girl child.

#### Follow-up to Beijing<sup>104</sup>

**2000(Beijing+):** The General Assembly decided to hold a 23rd special session to conduct a five-year review and appraisal of the implementation of the Beijing Platform for Action, and to consider future actions and initiatives. “Women 2000: Gender Equality, Development, and Peace for the Twenty-First Century” took place in New York, and resulted in a political declaration and further actions and initiatives to implement the Beijing commitments.<sup>105</sup>

**2005(Beijing++):** A 10-year review and appraisal of the Beijing Platform for Action was conducted as part of the 49th session of the Commission on the Status of Women. Delegates of this Conference adopted a declaration emphasizing that the full and effective implementation of the Beijing Declaration and Platform for Action is essential to achieving the internationally agreed development goals, including those contained in the Millennium Declaration.<sup>106</sup>

**2010:** The 15-year review of the Beijing Platform for Action took place during the Commission’s 54th session in 2010. Member

States adopted a declaration that welcomed the progress made towards achieving gender equality, and pledged to undertake further action to ensure the full and accelerated implementation of the Beijing Declaration and Platform for Action.<sup>107</sup>

**2015:** In mid-2013, the UN Economic and Social Council requested the Commission on the Status of Women to review and appraise implementation of the Platform for Action in 2015, in a session known as Beijing+20.108 To inform deliberations, the Council also called on UN Member States to perform comprehensive national reviews, and encouraged regional commissions to undertake regional reviews.

#### Conclusion

The World Conferences on Women especially the fourth World Conference has taken numerous significant steps towards achieving gender equality and protection of human rights of girl child. But how far these steps are fruitful is a debatable question.

According to a report published by the UN Women’s Regional Office for Europe and Central Asia on 5<sup>th</sup> October, 2020, gender equality is achieved throughout the world upto a maximum extent but still there requires significant transformations to achieve gender equality in true sense.<sup>109</sup>

Reference has been made from a variety of leading data sources and the report finds that woman and girls in the region as a whole are more educated than ever, making up over 57 per cent of tertiary graduates.<sup>110</sup> Many more women are in politics with representation in

in Europe and Central Asia, Retrieved on December 18, 2020 from

<https://www.unwomen.org/en/news/stories/2020/10/press-release-report-from-europe-and-central-asia-tracks-progress-25-years-after-beijing-platform>

<sup>110</sup> *ibid*

<sup>104</sup> *ibid*

<sup>105</sup> *ibid*

<sup>106</sup> *ibid*

<sup>107</sup> *ibid*

<sup>108</sup> *ibid*

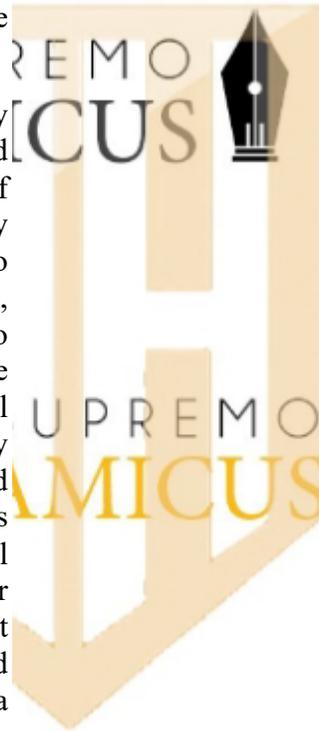
<sup>109</sup> Press Release: 25 Years after a landmark global agreement, the numbers still don’t add up for women



parliaments nearly doubling between 2000 and 2019. Legal reforms are helping women and men to reconcile work and family life, and several countries have improved maternity leave entitlements.<sup>111</sup>

It was also found that across the region, violence and harmful practices remain a reality for millions of women and girls.<sup>112</sup> At least 15 countries still have no clear criminal penalties for domestic violence.<sup>113</sup> Only 21 countries impose sanctions for child marriage.<sup>114</sup> Skewed sex ratios in some countries affirm the continued practice of sex-selective abortions linked to the preference for sons.<sup>115</sup>

Despite progress, women are still largely excluded from politics, policies, budgets and data collection. Only 25.6 per cent of ministerial positions in 2019 are held by women.<sup>116</sup> Women in politics continue to face gender stereotypes and discrimination, threats and attacks. Half of women and two thirds of men in Eastern Europe and the Caucasus believed men make better political leaders than women. A significant majority of women members of parliament and parliamentary staff from 45 countries reported that they had suffered psychological violence during their term of office (85.2 per cent), had been the target of online sexist attacks on social networks (58.2%) or had received death threats or threats of rape or a beating (46.9 per cent).<sup>117</sup> COVID-19 is now exacerbating many of these disparities and violations, threatening the progress that has been made.



<sup>111</sup> ibid

<sup>112</sup> ibid

<sup>113</sup> ibid

<sup>114</sup> ibid

<sup>115</sup> ibid

<sup>116</sup> ibid

<sup>117</sup> supra, note 91