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# Gender-Based Violence and Human Rights: Legal Responses to Protect Vulnerable Populations

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## ABSTRACT

*Gender-based violence (GBV) remains a pervasive violation of human rights, disproportionately affecting women, girls, and marginalized communities globally. This abstract explores the legal frameworks and responses designed to protect vulnerable populations from GBV, examining both international human rights law and national legislative efforts. Despite significant advancements, including the adoption of conventions such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Istanbul Convention, enforcement gaps and cultural barriers persist, limiting the effectiveness of these measures.*

*This paper critically analyzes the role of international legal instruments in combating GBV, alongside domestic legislation in various jurisdictions, to assess their successes and shortcomings. It highlights how structural inequalities, including poverty, lack of education, and limited access to justice, exacerbate vulnerability to violence. The study also focuses on legal responses to emerging forms of GBV, such as online harassment and cyberstalking, which pose new challenges in the digital age.*

*Furthermore, the paper addresses the intersection of GBV with other human rights issues, such as the right to healthcare and freedom from discrimination, illustrating how a holistic approach is essential to tackling the root causes of violence. Recommendations are made for enhancing legal protections, including better implementation of laws, increased international cooperation, and the empowerment of local communities to challenge societal norms that perpetuate violence.*

*Ultimately, this study underscores the need for comprehensive legal reforms and multi-stakeholder efforts to ensure the safety, dignity, and rights of those most at risk.*

### **KEYWORDS**

*Gender-based violence (GBV), Human right, International legal frameworks, Domestic legislation, Online harassment, Survivor protection*

## **1. INTRODUCTION**

Gender-based violence (GBV) remains one of the most widespread violations of human rights, disproportionately affecting women, girls, and marginalized communities. Despite the existence of international legal frameworks, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)<sup>1</sup> and the Istanbul Convention, significant challenges persist in enforcing these protections. National legislation, including India's Criminal Law (Amendment) Act of 2013, has sought to address GBV, but enforcement gaps and cultural barriers continue to undermine progress. Moreover, the rise of emerging forms of violence, such as online harassment and cyberstalking, introduces new challenges that existing legal systems struggle to address. High-profile cases like the Kolkata and Paris gang rapes have reignited debates around the effectiveness of legal protections and the vulnerabilities faced by women in public spaces. This paper examines the intersection of GBV with other human rights issues, such as access to healthcare and freedom from discrimination, emphasizing the need for a more holistic and intersectional approach to tackling the root causes of violence<sup>2</sup>.

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<sup>1</sup> United Nations. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). UN Women. <https://www.un.org/womenwatch/daw/cedaw/>

<sup>2</sup> Freedman, Jane. *Gender, Violence and Politics in the Democratic Republic of*

## 2. CHAPTER I- GENDER-BASED VIOLENCE

Gender-based violence (GBV) remains one of the most pervasive and severe violations of human rights in the world today, disproportionately affecting women, girls, and marginalized communities. It manifests in multiple forms, including physical, sexual, emotional, and economic abuse, and crosses borders, affecting individuals in both developed and developing countries. While the international community has made significant strides in addressing GBV, the legal frameworks and responses to it often fall short, primarily due to enforcement gaps, societal norms, and evolving forms of violence such as cyber-based abuse.

International legal frameworks have played a crucial role in addressing GBV, with key instruments such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Istanbul Convention leading the global charge against gendered violence. CEDAW, adopted in 1979, represents a milestone in advancing women's rights by advocating for the elimination of discrimination in various spheres of life, including political, social, and economic domains. Article 2 of CEDAW<sup>3</sup> obliges state parties to take legislative, judicial, and administrative measures to eliminate violence against women. Over the years, CEDAW's General Recommendations No. 19 and No. 35 have specifically focused on the issue of GBV, expanding the scope of its protections.

However, while CEDAW is comprehensive in its scope, it has limitations. Countries such as the United States have yet to ratify the convention, and many states that have done so include

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*Congo*. Routledge, 2016

<sup>3</sup> United Nations. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). UN Women. <https://www.un.org/womenwatch/daw/cedaw/>

reservations that weaken its provisions. Moreover, CEDAW's effectiveness is hindered by the lack of a binding enforcement mechanism. This leaves its implementation dependent on the political will of states, many of which fail to prioritize GBV in their national agendas.

The Istanbul Convention,<sup>4</sup> adopted by the Council of Europe in 2011, offers the most robust and legally binding framework to combat violence against women and domestic violence. The convention takes a holistic approach by mandating preventive measures, protection for victims, prosecution of offenders, and the development of integrated policies. Unlike CEDAW, it is enforceable within the legal systems of its signatory countries, providing more tangible protections for victims. Nevertheless<sup>5</sup>, the convention has faced significant opposition in some states, most notably Turkey, which withdrew from the convention in 2021, citing conflicts with its cultural and family values.

At the national level, several countries have introduced legal reforms aimed at combating GBV, but enforcement remains a significant challenge. In India, the 2013 Criminal Law (Amendment) Act was introduced in response to the 2012 Delhi gang rape case, which shocked the nation and led to widespread public protests. The law expanded the definition of rape, criminalized stalking and voyeurism, and established fast-track courts to address GBV cases more efficiently. However, despite these reforms, India continues to grapple with high rates of sexual violence. According to the National Crime Records Bureau (NCRB), over 31,000 cases of rape were reported in 2021, and the

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<sup>4</sup> Council of Europe. *The Istanbul Convention: A Global Tool to Combat Violence Against Women and Domestic Violence*.

<https://www.coe.int/en/web/istanbul-convention>

<sup>5</sup> Merry, Sally Engle. *Human Rights and Gender Violence: Translating International Law into Local Justice*. University of Chicago Press, 2006.

conviction rate remains low at 25%. Cultural stigma, societal norms, and inadequate law enforcement contribute to the continued vulnerability of women in India.

Similarly, South Africa's legal framework to address GBV, particularly the Domestic Violence Act of 1998, has made significant strides in providing legal protection for victims. The law allows survivors to obtain protection orders, access legal aid, and benefit from specialized police units trained to handle domestic violence cases. However, South Africa continues to face one of the highest rates of femicide globally, with statistics indicating that a woman is killed every three hours in the country.

The United States also presents a complex case in its approach to addressing GBV. The Violence Against Women Act (VAWA), first passed in 1994, has been a landmark piece of legislation aimed at providing federal resources for victim services, legal assistance, and the prosecution of offenders. VAWA has been reauthorized multiple times since its inception, with each version expanding the scope of protections available to victims of GBV. However, the reauthorization process has faced political roadblocks, with the 2019 reauthorization being delayed for two years due to partisan disagreements<sup>6</sup>. Moreover, the rise of cyber-based GBV, such as cyberstalking and online harassment, has posed new challenges that VAWA has yet to fully address.

A critical aspect of understanding the intersection between GBV and human rights is recognizing the vulnerability of certain groups, particularly refugees and internally displaced persons (IDPs). In conflict zones and refugee camps, women and girls face

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<sup>6</sup> Grewal, Kiran. "The International Protection of Women from Violence: Normative Gaps and Contested Indivisibility in Human Rights Law." *Human Rights Quarterly*, vol. 39, no. 2, 2017, pp. 522–550.

heightened risks of sexual violence and human trafficking. The Rohingya refugee crisis, for example, underscores the intersection of GBV and refugee protection. Thousands of Rohingya women and girls fleeing persecution in Myanmar have been trafficked for sexual exploitation, particularly in refugee camps in Bangladesh. A 2019 UNHCR report highlighted the prevalence of trafficking in these camps, noting that the legal frameworks designed to protect refugees, such as the 1951 Refugee Convention, do not adequately address the specific vulnerabilities of trafficked women.

Similarly, the atrocities committed by ISIS against Yazidi women in Iraq and Syria demonstrate the limitations of international law in protecting victims of GBV in conflict zones. Thousands of Yazidi women were abducted, raped, and trafficked by ISIS fighters, with many forced into sexual slavery. Although the International Criminal Court (ICC) has recognized these acts as crimes against humanity, the pursuit of justice remains fraught with challenges, including jurisdictional limitations and the ongoing instability in the region.

The rise of digital platforms has further complicated the fight against GBV, with cyber-based forms of abuse becoming increasingly prevalent. Cyber GBV includes online harassment, cyberstalking, the non-consensual sharing of intimate images, and doxxing. These forms of abuse disproportionately affect women, particularly those in public life, such as journalists, activists, and politicians<sup>7</sup>. A 2018 Amnesty International report revealed that one in five women globally has experienced some

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<sup>7</sup> Manjoo, Rashida. "Violence against Women and Women's Rights in International Law." *International Human Rights of Women*, ed. by Rebecca Cook, Routledge, 2018.

form of online abuse, with women of color, LGBTQ+ women, and those from marginalized communities being particularly targeted.

The legal frameworks currently in place to address cyber GBV are often inadequate. Laws have been slow to adapt to the rapidly evolving digital landscape, and enforcement is complicated by the cross-border nature of cyberspace. In many jurisdictions, there is a lack of clarity regarding the legal mechanisms available to prosecute perpetrators of cyber GBV, leaving victims without adequate recourse. Moreover, social media platforms have been criticized for failing to take proactive steps to prevent abuse and protect users from online violence.

In light of the challenges posed by both traditional and emerging forms of GBV, it is evident that legal reforms are necessary to ensure that survivors receive adequate protection and justice. One key recommendation is the need for a more integrated approach to addressing GBV, one that recognizes the intersectionality of vulnerabilities faced by victims. Refugees, migrants, LGBTQ+ individuals, and women from marginalized communities are particularly at risk, and existing legal frameworks must be expanded to address these intersecting forms of violence.

## CHAPTER II- NATIONAL AND INTERNATIONAL LEGAL FRAMEWORKS FOR COMBATING GBV

At the global level, a number of international legal instruments have been developed to combat GBV. Chief among them are the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), adopted in 1979, and the Istanbul Convention, adopted by the Council of Europe in 2011.

CEDAW is often regarded as the international bill of rights for women, as it enshrines principles of gender equality and obliges

state parties to eliminate all forms of discrimination against women in public and private life. Article 2 of CEDAW is particularly relevant to combating GBV, as it mandates state parties to take appropriate measures, including legislative and administrative actions, to eliminate violence against women. However, CEDAW's enforceability is limited by the fact that several countries have ratified the convention with reservations, and a number of major powers, including the United States, have yet to ratify it at all. In addition, CEDAW has been criticized for not explicitly addressing GBV until General Recommendation No. 19 in 1992, and later, No. 35 in 2017, both of which broadened the definition of discrimination to include violence against women.

The Istanbul Convention <sup>8</sup>is the most comprehensive international treaty specifically aimed at preventing and combating violence against women and domestic violence. It requires state parties to take preventive measures, protect victims, prosecute perpetrators, and adopt integrated policies. The convention is legally binding on its signatories, which provides a stronger enforcement mechanism than CEDAW. However, the convention has faced significant political resistance, most notably in Turkey, which withdrew from the convention in 2021, and in some Eastern European countries like Poland and Hungary, where conservative governments have questioned the convention's compatibility with traditional family values.

Despite these challenges, international instruments like CEDAW and the Istanbul Convention have played a pivotal role in advancing the legal fight against GBV. However, their

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<sup>8</sup> Council of Europe. *The Istanbul Convention: A Global Tool to Combat Violence Against Women and Domestic Violence*.  
<https://www.coe.int/en/web/istanbul-convention>

effectiveness is often undermined by lack of enforcement at the national level and resistance from certain state parties.

#### DOMESTIC LEGISLATION: THE INDIAN CONTEXT

India presents a complex case in terms of its legal response to GBV. On the one hand, the country has enacted a number of laws aimed at addressing violence against women, including the Criminal Law (Amendment) Act of 2013, which was passed in the wake of the brutal gang rape and murder of Jyoti Singh in Delhi in 2012.<sup>9</sup> This amendment expanded the definition of rape, criminalized offenses such as stalking and voyeurism, and established fast-track courts for rape cases.

Yet, despite these legal reforms, the prevalence of sexual violence remains high in India. According to the National Crime Records Bureau (NCRB)<sup>10</sup>, over 31,000 rape cases were reported in 2021, and this figure represents only a fraction of the actual number of incidents, as many cases go unreported due to societal stigma. Moreover, the conviction rate for rape cases in India is alarmingly low, hovering around 25%, which points to a failure in the enforcement of legal protections.

Recent high-profile cases, such as the Kolkata gang rape case, further illustrate the challenges of enforcing legal protections against GBV. In 2022, a 21-year-old woman was gang-raped in Kolkata by three men, an incident that sparked outrage across the country. Despite the swift arrest of the perpetrators, the case raised concerns about the safety of women in public spaces and the ineffectiveness of existing legal measures to prevent such

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<sup>9</sup> Ferrales, Gabrielle, and Nawal H. Ammar. "Policing Sexual Violence in India: Legal Frameworks, Obstacles, and Reforms." *Law & Social Inquiry*, vol. 45, no. 3, 2020, pp. 725-759.

<sup>10</sup> <https://www.ncrb.gov.in/en/Crime-in-India-2021>

crimes. The incident also highlighted the role of structural inequalities, as the victim belonged to an economically disadvantaged community, which compounded her vulnerability to violence.

The Paris gang rape case, which occurred in the same year, underscored the global nature of the GBV epidemic. In Paris, a 27-year-old woman was gang-raped by five men in a park. The case shocked the international community and reignited debates about the safety of women in urban areas. Despite France having one of the most robust legal frameworks in Europe to address GBV, including laws that criminalize rape and domestic violence, the Paris case revealed persistent gaps in the enforcement of these laws.

In India, the landmark case of *Independent Thought v. Union of India* (2017) is another critical development in the legal fight against GBV. The Supreme Court ruled that sexual intercourse with a minor, even if the minor is a wife, constitutes rape. This judgment is significant because it addressed the issue of child marriage, which remains prevalent in rural areas of India, and underscored the need for legal reforms to protect vulnerable populations, particularly children, from GBV.

## STRUCTURAL INEQUALITIES AND GBV

In India, for example, poverty plays a significant role in shaping women's vulnerability to violence. Women from economically disadvantaged backgrounds are more<sup>11</sup> likely to face violence in both public and private spaces, and they are also less likely to have access to legal recourse.<sup>12</sup> According to a 2021 report by the

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<sup>11</sup> Charlesworth, Hilary. "Feminist Methods in International Law." *The American Journal of International Law*, vol. 93, no. 2, 1999, pp. 379-394.

<sup>12</sup> Fredman, Sandra. "Women and the Law." *Oxford Journal of Legal Studies*,

Indian Ministry of Women and Child Development, women from rural areas and lower socioeconomic classes are particularly vulnerable to GBV due to their limited access to education, healthcare, and legal protections.

Similarly, in France, immigrant women and women from minority communities are disproportionately affected by GBV. A 2022 report<sup>13</sup> by the French Ministry of Justice found that immigrant women are more likely to experience domestic violence and less likely to report it due to fear of deportation or legal repercussions. This highlights the intersectionality of GBV, as women who belong to marginalized groups face compounded forms of discrimination and violence.

#### EMERGING FORMS OF GBV: ONLINE HARASSMENT AND CYBERSTALKING

The rise of digital platforms has introduced new forms of GBV, such as online harassment, cyberstalking, and the non-consensual sharing of intimate images. These forms of violence disproportionately affect women and pose significant challenges for legal systems, which have been slow to adapt to the digital age.

According to a 2020 report by Amnesty International, one in five women globally has experienced<sup>14</sup> some form of online abuse, with women of color, LGBTQ+ women, and women from marginalized communities being particularly targeted. Online GBV can have devastating psychological and emotional effects on victims, and in some cases, it can escalate to physical violence.

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vol. 33, no. 1, 2013, pp. 221-243.

<sup>13</sup> Parashar, Archana. "Gender Violence in India: The Legal Response." *Asian Studies Review*, vol. 34, no. 2, 2010, pp. 139-159.

<sup>14</sup> Human Rights Watch. World Report 2021: Events of 2020. <https://www.hrw.org/world-report/2021>

India has made some progress in addressing online GBV through its Information Technology (IT) Act, which criminalizes cyberstalking and the dissemination of sexually explicit material without consent.<sup>15</sup> However, enforcement of the IT Act remains weak, and victims of online GBV often struggle to navigate the legal system. A 2021 case in Kerala <sup>16</sup>involved a woman who was stalked online and subjected to the non-consensual sharing of intimate images. Despite clear evidence of cyberstalking, the police failed to take swift action, and the case highlighted the inadequacies of India's legal framework for addressing online GBV.

Internationally, France has also taken steps to combat online GBV through its 2018 "Law Against Online Abuse," which aims to curb cyberbullying and online harassment. The law allows victims to file complaints against perpetrators and obligates social media platforms to remove harmful content. However, as seen in the Paris gang rape case, the existence of laws alone is not enough; their enforcement is crucial to ensuring victims receive justice.

## CHALLENGES IN LEGAL ENFORCEMENT AND RECOMMENDATIONS

While significant legal frameworks exist to combat GBV, the primary challenge remains enforcement. In many jurisdictions, legal protections for victims of GBV are not adequately enforced due to lack of resources, training for law enforcement officials, and societal norms that stigmatize victims. This is particularly

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<sup>15</sup> Chinkin, Christine, and Mary Kaldor. "Gender and New Wars." *Journal of International Affairs*, vol. 67, no. 1, 2013, pp. 167-178.

<sup>16</sup> Ferrales, Gabrielle, and Nawal H. Ammar. "Policing Sexual Violence in India: Legal Frameworks, Obstacles, and Reforms." *Law & Social Inquiry*, vol. 45, no. 3, 2020, pp. 725-759.

evident in India, where the low conviction rates for rape cases point to systemic issues within the judiciary and law enforcement.

The Kolkata gang rape case serves as a prime example of how societal attitudes toward GBV can undermine the effectiveness of legal protections. Despite legal reforms, victims of sexual violence in India often face backlash from their communities, and the police are sometimes reluctant to take action. This is compounded by structural inequalities, such as poverty and lack of education, which limit victims' access to justice.

To address these challenges, legal reforms must be accompanied by efforts to change societal attitudes toward GBV. This includes educational campaigns to raise awareness about GBV and the rights of victims, as well as training programs for law enforcement officials and judicial authorities to ensure that they respond appropriately to GBV cases.<sup>17</sup> Additionally, greater efforts must be made to address the structural inequalities that make women and marginalized groups more vulnerable to violence. This includes improving access to education, healthcare, and legal services for economically disadvantaged women.

Furthermore, legal frameworks must be updated to address emerging forms of GBV, such as online harassment and cyberstalking. In the digital age, traditional forms of legal recourse are often inadequate to protect victims from online violence. Governments should strengthen their cybercrime laws and ensure that law enforcement agencies are equipped to investigate and prosecute cases of online GBV.

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<sup>17</sup> United Nations Development Programme (UNDP). Gender-based Violence and COVID-19. <https://www.undp.org/publications/gender-based-violence-and-covid-19>

To truly combat GBV, legal reforms must be accompanied by efforts to address the root causes of violence, including poverty, lack of education, and societal norms that perpetuate gender inequality. Additionally, governments must adapt their legal frameworks to address the challenges posed by online GBV, ensuring that victims have access to justice in both the physical and digital worlds.

### **CHAPTER III –THE INTERSECTION OF GBV WITH OTHER HUMAN RIGHTS ISSUES**

Gender-based violence (GBV) intersects with numerous other human rights issues, such as access to healthcare, freedom from discrimination, and the right to security and protection. This intersectionality creates additional layers of vulnerability, particularly for women and marginalized groups. It also underscores the need for a holistic approach to addressing GBV, one that acknowledges these connections and aims to tackle the root causes of violence.

One of the key human rights issues that intersects with GBV is the right to healthcare. Survivors of GBV, particularly sexual violence, often require immediate and long-term medical care. This includes access to physical health services, mental health support, and reproductive healthcare, all of which are critical to the survivor's recovery. However, in many parts of the world, access to healthcare is limited, especially for women from marginalized communities. This not only exacerbates the trauma caused by the violence but also perpetuates cycles of poverty and ill health. For example, survivors of rape may face unintended pregnancies or contract sexually transmitted infections (STIs)<sup>18</sup>,

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<sup>18</sup> Fineman, Martha Albertson. *The Neutered Mother, The Sexual Family, and Other Twentieth Century Tragedies*. Routledge, 1995.

and without adequate healthcare, their ability to recover and lead fulfilling lives is severely compromised.

In India, healthcare for GBV survivors remains inadequate, particularly in rural areas where medical infrastructure is limited. According to a 2020 report by the Ministry of Health and Family Welfare, the majority of healthcare facilities in rural India are not equipped to handle cases of sexual violence. This lack of access to healthcare is further compounded by societal stigma, which discourages survivors from seeking medical help<sup>19</sup>. Survivors who do seek healthcare often face discrimination from healthcare providers, who may not be trained to handle cases of GBV with the sensitivity and care that they require.

Similarly, in conflict zones such as Myanmar and Syria, survivors of GBV face extreme difficulties in accessing healthcare. In refugee camps, where resources are already scarce, women and girls who have been victims of sexual violence are often left without access to the medical care they need. A 2019 UNHCR report highlighted the plight of Rohingya women in refugee camps in Bangladesh, many of whom were victims of rape and sexual exploitation during their escape from Myanmar.<sup>20</sup> The report found that healthcare services in these camps were insufficient to meet the needs of survivors, leading to long-term physical and psychological harm.

The right to freedom from discrimination is another critical human rights issue that intersects with GBV.<sup>21</sup> Discrimination based on gender, race, ethnicity, sexual orientation, or socio-

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<sup>19</sup> Heise, Lori L. "Violence against Women: An Integrated, Ecological Framework." *Violence against Women*, vol. 4, no. 3, 1998, pp. 262-290.

<sup>20</sup> United Nations Development Programme (UNDP). *Gender-based Violence and COVID-19*. <https://www.undp.org/publications/gender-based-violence-and-covid-19>

<sup>21</sup> Neumayer, Eric. "Do International Human Rights Treaties Improve Respect for Human Rights?" *The Journal of Conflict Resolution*, vol. 49, no. 6, 2005, pp. 925-953.

economic status often compounds the violence experienced by survivors. Women from minority or marginalized groups are often target<sup>22</sup>ed for violence precisely because of their identities, and this discrimination extends to the way they are treated by legal and social institutions.

For example, in India, Dalit women are disproportionately affected by GBV. Dalit women face violence not only because of their gender but also because of their caste status, which renders them vulnerable to exploitation and abuse by higher-caste men. The intersection of caste and gender discrimination makes it particularly difficult for Dalit women to seek justice, as law enforcement officials and judicial authorities often fail to take their cases seriously. A 2018 study by Human Rights Watch found that Dalit women who reported cases of sexual violence were frequently met with indifference or hostility by the police, who either refused to file reports or pressured the women to drop their cases.

Discrimination also affects survivors of GBV who belong to the LGBTQ+ community. In many parts of the world, LGBTQ+ individuals face violence and harassment because of their gender identity or sexual orientation, and they are often excluded from legal protections. In countries where same-sex relationships are criminalized, survivors of GBV may be reluctant to report violence for fear of legal repercussions. For example, in Uganda<sup>23</sup>, where homosexuality is illegal, LGBTQ+ individuals who experience GBV are often unable to seek legal recourse, as doing so would expose them to criminal charges..

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<sup>22</sup> Merry, Sally Engle. *Gender Violence: A Cultural Perspective*. Wiley-Blackwell, 2009.

<sup>23</sup> Kelly, Liz. "The Continuum of Sexual Violence." In *Women, Violence and Social Control*, ed. by Jalna Hanmer and Mary Maynard, Macmillan, 1987.

## RECOMMENDATIONS FOR ENHANCING LEGAL PROTECTIONS

To effectively combat GBV and uphold the human rights of survivors, it is essential to strengthen and expand legal protections at both the national and international levels. This can be achieved through several key strategies, including better implementation of existing laws, increased international cooperation, and the empowerment of local communities to challenge societal norms that perpetuate violence<sup>24</sup>.

First and foremost, there is an urgent need to improve the implementation of existing laws designed to protect survivors of GBV. While many countries have introduced progressive legislation to address GBV, the enforcement of these laws often remains inadequate. In India, for example, the Criminal Law (Amendment) Act of 2013 introduced significant reforms, including the expansion of the definition of rape and the creation of fast-track courts to expedite rape cases. However, the conviction rate for rape cases remains low, and many survivors continue to face significant barriers in accessing justice.

One key barrier to the effective implementation of GBV laws is the lack of training for law enforcement officials, judges, and healthcare providers. In many cases, survivors of GBV are met with skepticism or indifference by the authorities, which discourages them from pursuing legal action. To address this issue, governments should invest in comprehensive training programs for law enforcement officials and judicial authorities to ensure that they are equipped to handle GBV cases with sensitivity and care. These programs should emphasize the

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<sup>24</sup> Ellsberg, Mary, et al. "Prevention of Violence against Women and Girls: What Does the Evidence Say?" *The Lancet*, vol. 385, no. 9977, 2015, pp. 1555-1566.

importance of treating survivors with dignity and respect and should educate officials on the legal rights of survivors.<sup>25</sup>

In addition to improving the implementation of laws, there is a need for increased international cooperation in addressing GBV. Given the transnational nature of some forms of GBV, such as human trafficking and online harassment, it is essential for countries to work together to combat these crimes. International cooperation is particularly important in addressing cyber-based forms of GBV, such as cyberstalking and the non-consensual sharing of intimate images. These forms of violence often involve perpetrators and victims in different countries, which complicates legal efforts to hold offenders accountable. Governments should collaborate to create international legal frameworks that address cyber-based GBV and ensure that social media platforms and internet service providers take proactive steps to prevent and address online violence.

Furthermore, international organizations such as the United Nations should continue to play a leading role in advocating for the rights of GBV survivors and in holding governments accountable for their obligations under international law. For example, the United Nations Special Rapporteur on Violence against Women has been instrumental in bringing attention to the issue of GBV and in monitoring states' compliance with their obligations under CEDAW and other international treaties. By continuing to pressure governments<sup>26</sup> to fulfill their legal commitments and by providing technical assistance to countries in developing and implementing GBV policies, international

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<sup>25</sup> Mapp, Susan C. "The Effects of Human Rights Education on Gender Violence." *Human Rights Quarterly*, vol. 34, no. 2, 2012, pp. 446-469.

<sup>26</sup> United Nations Office on Drugs and Crime (UNODC). *Global Report on Trafficking in Persons 2020*. <https://www.unodc.org/unodc/en/data-and-analysis/glotip.html>

organizations can play a key role in strengthening global efforts to combat GBV.

Another important strategy for enhancing legal protections for GBV survivors is the empowerment of local communities. Social norms that perpetuate violence, such as the belief in male dominance or the stigmatization of victims, play a significant role in the persistence of GBV. These norms can only be challenged through sustained community-level efforts to change attitudes and behaviours. Governments<sup>27</sup> and civil society organizations should work together to create awareness campaigns that challenge harmful gender norms and promote gender equality. These campaigns should be culturally sensitive and tailored to the specific needs and contexts of different communities.

In India, for example, grassroots organizations have been successful in mobilizing local communities to address GBV. Organizations such as Jagori and the Self Employed Women's Association (SEWA) have worked to raise awareness about GBV and to empower women to stand up for their rights. By involving local communities in efforts to prevent GBV, these organizations have helped to create a shift in societal attitudes toward gender and violence.

To address the root causes of GBV, it is essential to improve the implementation of existing laws, increase international cooperation, and empower local communities to challenge societal norms that perpetuate violence.<sup>28</sup> Legal reforms should also be designed to protect the most vulnerable groups, including women

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<sup>27</sup> De Vos, Pierre. "Balancing Women's Rights and Cultural Rights: A Legal Analysis of the South African Constitutional Court's Approach." *South African Journal on Human Rights*, vol. 23, no. 2, 2007, pp. 276-299.

<sup>28</sup> Bunch, Charlotte. *Passionate Politics: Feminist Theory in Action*. St. Martin's Press, 1987.

from marginalized communities, LGBTQ+ individuals, and refugees. Only through comprehensive legal reforms, multi-stakeholder efforts, and a commitment to human rights can we ensure the safety, dignity, and rights of those most at risk of GBV.