

Study and Recommendations on Further Improving the Protection of Women's Rights and Interests

Xuefang Wu

People's Public Security University of China, Beijing, China

Abstract: *The Convention on the Elimination of All Forms of Discrimination against Women, adopted by the 34th session of the United Nations General Assembly in 1979, states in Article 3: "States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men. The exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men." Nowadays, the international community attaches more and more importance to the protection of women's rights and interests, with the United Nations General Assembly as an important carrier and medium, according to the data show that the recent 47th, 50th and 53rd sessions of the United Nations Human Rights Council, more and more international attention, are coincidentally concerned about the protection of the rights and interests of women and the rights and interests of elderly women, which is enough to show that the protection of women's rights and interests of the importance of the degree of importance of women's rights. This paper analyzes a large amount of literature and puts forward feasible suggestions on how to improve the protection of women's rights and interests under the existing system.*

Keywords: *international sphere; women's rights and interests; institutional safeguards*

1. The background of women's rights and interests at the international level

At the present time, serious violations of women's rights and interests are still commonplace around the globe. The vast majority of women in the world face diverse, ever-present and even deliberate and malicious gender discrimination, which covers all aspects of women's lives, work and studies, and is directly reflected in the formulation of laws, the control of policies and social habits, which together deprive women of the equal rights to which they are entitled. Unfortunately, in many cases, women's basic rights such as the right to life, personal safety, access to education, employment and freedom of movement are often not fully and effectively protected. In the book "The Road to Social Justice: A Study of Public Interest Law Litigation Theory (Public Interest Law Series)" written by Xu Huo in 2009, we can clearly see the background and development of women's rights and interests in the international arena, and at the same time, we have made a good background for the subsequent research of this paper. Through the in-depth study of this book, we have found the earlier proposal and development of women's rights and interests in the international field that can be traced back, which plays a very important role in the subsequent research of this paper [1].

1.1 Presentation of women's rights and interests in the United States

As the civil rights movement in the United States began to flourish in the mid-1960s, women's rights public interest litigation began to make significant inroads in the United States, with far-reaching global implications. At the same time, leaders of the U.S. women's movement drew inspiration from black civil rights litigation and found a model to follow. During this period, the core philosophy of public interest litigation for women's rights protection in the United States emphasized that discriminatory treatment based on biological characteristics (sex) was immoral.

1.2 Worldwide impact and outreach

In the late 1960s and early 1970s, the far-reaching impact of public interest litigation in safeguarding women's equal rights in the United States triggered global attention to the protection of women's rights and interests. This example of United States practice has been adopted by many other

countries at the international level and has contributed to the innovation and progress of the system of protecting women's rights and interests at the international level. In India, for example, the active promotion of women's rights campaigns and lawsuits prompted India to explicitly stipulate that domestic violence is considered a crime in section 498A of the Penal Code, which was amended in 1983. In Latin American countries, women's pro bono legal organizations have made full use of the courts, the media and society, and have succeeded in overturning previous unjust precedents in a number of domestic abuse cases. It is worth mentioning that the women's rights movement in Argentina has achieved remarkable results in promoting constitutional reform by treating the relevant conventions as texts with constitutional force and by explicitly providing by law that any citizen who experiences discrimination in opportunities and treatment on the basis of gender has the right to file a complaint with the ombudsman or the relevant State authority. The Public Interest Law Centre in South Africa has found creative and effective ways to challenge discriminatory practices against women through a range of strategies such as impact litigation, law reform, education and domestic and international cooperation in collaborative and developmental processes. The above series of policy formulation and legal reforms not only reflect the firm protection of women's rights and interests, but also provide the international community with valuable lessons and references [2-3].

1.3 Development of the International System for the Protection of Women's Rights and Interests at the level of practical application

In the twentieth century, most countries in the world have paid more attention to women's rights and interests, but in general, the development of international women's rights and interests relies more on the United Nations Human Rights Council, and through the convening of the Council, a number of institutional conventions have been formulated and adopted, and positive progress has been made in the development of international women's rights and interests.

First of all, thanks to the continuous improvement of the relevant laws and policies of the United Nations, since its establishment in 1945, the United Nations has, through the convening of its governing councils, soliciting the opinions of all countries, and the formulation of international conventions, urged the governments of all countries to amend their laws in accordance with the relevant contents, in order to maximize the protection of women's rights and interests. In 1972, the United Nations General Assembly made a landmark resolution designating 1975 as the International Women's Year. This initiative was designed to promote gender equality and women's empowerment on a global scale. Subsequently, in the Mexican capital, a grand conference on the International Women's Year was held from June 19 to July 2, 1975, at which the participants unanimously adopted the Declaration on the Equal Status of Women and the World Plan of Action for the Implementation of the Objectives of the International Women's Year, which set the stage for the protection of the rights and the status of women on a global scale.

The Declaration on the Equal Status of Women and the World Plan of Action for Achieving the Goals of the International Women's Year laid a solid foundation for the protection of women's rights and interests and the advancement of their status worldwide. Five years later, from July 14 to 30, 1980, the mid-term conference of the United Nations Decade for Women and the Second World Conference on Women were successfully held in Copenhagen, Denmark. The conference further refined measures to safeguard women's rights and interests, and clearly put forward the sub-themes of the UN Women's Decade, namely, "employment, health and education", which were recognized as the key to improving women's social status and promoting gender equality. These three areas are recognized as key to the advancement of women in society and the promotion of gender equality. Five years later, the United Nations convened the Third World Conference on Women in Nairobi, Kenya, from July 15 to 26, 1985, in order to comprehensively review and assess the results of the United Nations Decade for Women. The conference not only reviewed the efforts and progress made in the past, but also pointed out the direction for future work on gender equality and gave new impetus to the development of the global women's cause. The Fourth World Conference on Women was held in Beijing from September 4 to 15, 1995, at which the Beijing Declaration and Platform for Action were adopted, describing the problems faced by women in various countries and putting forward recommendations in 12 areas, including poverty, education, armed conflict, the environment and the girl child. The Conference adopted the Beijing Declaration and Platform for Action, which addressed the problems faced by women in all countries in 12 areas, including poverty, education, armed conflict, the environment and the girl child, and proposed strategic objectives to address those problems.

At the same time, thanks to the increase in women's participation in politics and decision-making, more and more women are involved in the political and decision-making process, holding key

government positions, participating in parliaments and elections. According to the United Nations website, the proportion of women in parliamentarians globally increased from 22.6 percent in 2015 to 23.3 percent in 2016 and more than 25.5 percent in 2020, which provides a strong guarantee for women's rights and interests on an international scale.

2. The significance of guaranteeing women's rights and interests at the international level

2.1 Popularization and dissemination of the concept of gender equality

With the development of the times, the progress of society and the opening up of ideas, more and more countries and organizations have begun to attach importance to gender equality and have included it as one of their important values within the scope of their own legal protection. At the same time, since countries such as the United States, which first initiated the human rights movement and advocated equal rights and interests for women, had already been recognized by many countries internationally at that time, topics such as the protection of women's rights and interests and the appeal for the concept of gender equality were supported and recognized and disseminated by an increasing number of countries.

2.2 Increased status and participation of women

Globally, more and more women have begun to rise to prominence in various fields such as politics, economy and culture, playing an increasingly important role. As mentioned above, the proportion of women in the global parliamentary assembly will reach 25.5% in 2020, and the trend is continuing to rise, and this improvement and increased participation provide a realistic basis for the proposal to safeguard women's rights and interests.

2.3 Continuous improvement of laws and the positive role of international organizations

Internationally, various countries are constantly amending, improving and updating their laws on the protection of women's rights and interests. For example, the United States Pregnancy Discrimination Act was based on the Civil Rights Act of 1964. For example, the United States was the first country in the world to enact legislation prohibiting sexual harassment, and the first time a provision on sexual harassment appeared in the legal sphere was in 1964, which was improved and upgraded in 1986, with legislation specifically tailored to the social context of the time, followed by additional provisions in 1991, and several more improvements in the twenty-first century. Meanwhile, the United Nations has also played a pivotal role in this process. The United Nations Commission on the Status of Women has long exposed negative cases in the process of safeguarding women's rights and interests, and the Universal Declaration of Human Rights, which was adopted in Paris in 1948, has been widely used as the basis for people to criticize governmental behavior. Since then, the United Nations, the International Labor Organization and the International Labor Ship Organization have adopted a series of international conventions to protect women's rights and interests, such as the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Use of Women in Underground Work in Mines, the Convention on the Night Work of Women Employed in Industry, the Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, the Convention on the Nationality of Married Women, the Convention concerning Discrimination in respect of Employment and Occupation, and the Convention against Discrimination in Education. At the same time, in order to urge countries to take active measures to promote the legitimate rights and interests of women all over the world, the United Nations has provided for specific measures such as the "periodic reporting system" and "advisory services", which require countries to report to the Commission on Human Rights on civil and political rights, economics, freedom of the press, freedom of expression, etc., on a six-year cycle, and to report to the Commission on Human Rights on a six-year cycle. In addition, through the hiring of experts to convene global and regional seminars, exchanges and training sessions, the Commission provides human rights training, legal advice and assistance to States. The United Nations and other international organizations, through the formulation of international conventions, declarations and other documents, have promoted the adoption of measures by States to safeguard the rights and interests of women and to improve their status[4-5].

3. Issues that need to be urgently addressed in safeguarding women's rights and interests in today's international situation

3.1 Problems in employment

On the surface, although governments and social organizations have made efforts to promote gender equality, women still face unequal treatment and discrimination in many areas. For example, education, social welfare, and political participation. There are statistics that there are only 37 female CEOs in the top 500 companies, accounting for no more than 8%. In terms of employment, the report "The World's Women 2020: Trends and Figures" published by the United Nations Department of Economic and Social Affairs shows that globally less than 50% of women of employable age are in the labor market, a figure that has remained virtually unchanged for the past 25 years. This means that women still face unequal treatment and opportunities in the job market and need more support and security. Sweden, known for its notion of gender equality, has seen a local recruitment company explicitly state that it only recruits men, which was ultimately ruled by the Swedish Equal Employment Opportunity Commission to be sexually discriminatory. Then again, an analysis of data from the National Women's Law Center shows that prior to the 2020 outbreak, women in the U.S. made up 77 percent of the workforce in the education and health services industry, but 83 percent of the unemployed. Women made up less than 50 percent of the retail labor force but were responsible for 61 percent of the unemployment rate. Even more stark contrasting data exists in transportation, station conductors, warehouse management, etc., where women make up only 26% of the workforce but account for "146%" of the unemployed, an unlikely number that is due to the increase in male employees in the field in lieu of females.

3.2 Lack of legal protection and access to justice

At present, the United Nations has taken the lead in formulating many provisions of the Convention on the Protection of the Rights and Interests of Women, but there are still many difficulties in implementing them. In many regions, relevant legal provisions have been formulated, but for reasons of culture, religion, regional differences, education and so on, local women are not able to receive normal legal protection and access to justice, and in some places, there is even a lack of legal support for the relevant laws. For example, the Constitution of India clearly stipulates gender equality between men and women, but in some regions, women still face discrimination in land rights and inheritance rights, and in some Middle Eastern countries, women's rights to divorce and inheritance are restricted. In terms of regional differences, women in some Asian countries are still regarded as secondary roles in the family and their decision-making power and autonomy are restricted, and the traditional practice of circumcision still exists in some African regions, which causes great harm to women's physical and mental health. In terms of fairness in the justice system, in some countries in Latin America, women often have difficulty in obtaining a fair trial when they are victims of sexual violence, as the justice system often delays or is not impartial in such cases. In some countries in Eastern Europe, cases of domestic violence are often handled with a lack of rigor, resulting in impunity for perpetrators. From the perspective of international cooperation, although the international community has committed itself to promoting the protection of women's rights and interests through a number of international conventions and declarations, globally there is insufficient collaboration and information-sharing among countries in combating transnational criminal activities involving the trafficking of women and children.

4. Conclusions

On the one hand, the United Nations and other international organizations should play a more important role by strictly following the relevant provisions of a series of international conventions adopted, especially the Beijing Declaration and Platform for Action, the 2030 Agenda for Sustainable Development, the Agenda for Women, Peace and Security, and the UN-Women Guiding Principles on Gender Equality in the Workplace, etc., and by means of mandatory means or the signing of agreements, requiring countries to National laws must participate in the provisions of the relevant conventions and formulate exclusive legal provisions to protect women's employment rights and interests globally. On the other hand, it is recommended that the United Nations and other international organizations set up a "global fair employment association" with the participation of all countries in the world, and set up a presence in each country, directly responsible for providing local channels for

complaints of unfair employment and professional legal assistance. At the same time, the United Nations should take the lead in setting up a "global women's employment special fund", which should be allocated according to the number and proportion of women employed in the country, so as to encourage the country to allow more women to be employed fairly.

On the one hand, the United Nations should take the lead in setting up a "legal aid center for women's rights and interests" to include all countries in the world as members, and to specify penalties for gender discrimination and domestic violence in accordance with a hierarchical level from the legal perspective, and to monitor national implementation. As a member, each country is required to invest special funds in accordance with its population ratio, land area and other data, for the purpose of carrying out specific work such as legal popularization, legal protection, legal assistance and interactive exchanges among countries, etc., and it is essential that this international organization have the professional knowledge and independence to deal with women's issues and be free from interference by the Government or other organizations. On the other hand, by making reference to the model of inter-country schools such as "Confucius Institutes" and establishing schools or specialties in "women's rights and interests protection" that specialize in women's rights and interests protection in their own countries, and by placing this work on an equal footing with the country's economic development, this will satisfy the demand for employment and open up new opportunities for women's rights and interests protection. This not only meets the demand for employment and opens up new job markets and directions, but also safeguards women's rights and interests, provides women with legal knowledge and skills training, and strengthens their legal awareness and self-protection abilities. A rapid-response mechanism has been set up, and the protection of women's rights and interests has been incorporated into the category of "special cases", so as to ensure that women's complaints are dealt with in a timely and impartial manner. At the international level, countries should propose a more coordinated, efficient and unified mechanism to address transnational women's issues, especially crimes such as trafficking and kidnapping.

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