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Understanding of the Status of Women and Right to Development

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ABSTRACT

This paper examines the applicability and relevance of the status of women's human rights and their right to development, calling for treatment of women's issues by improving their status and assisting in their total development. Women's empowerment is essential for sustainable development, growth and the accomplishment of all the millennium development goals. Women often face discrimination and gender inequalities because of factors such as ethnicity or caste. Women's economic participation and empowerment are fundamental to strengthening their rights and allowing them to have control over their lives and exert influence in society generating just and equitable societies. The researcher concluded that unless women are empowered, and gender equality is achieved, the nation will not achieve sustainable development with the recognition of only men's participation in economic, social, political, and environmental areas. Hence, this paper calls for the strong obligation of the government to empower women and utilise all the potentials of the country to attain secure and sustainable livelihoods. After all, in simple terms, human rights are about ensuring dignity, equality, and security for all human beings.

I. MEANING OF STATUS OF WOMEN

'Status of women' refers to the position of women in society in respect of men. Despite the fact that men and women share the same physical space, they are not treated equally over the world. Women's access to education, health care, physical and financial resources, and political, economic, social, and cultural opportunities are unequal. Women are treated as second-class citizens over the world. Women's poorer status is represented in women's lower wage rates than males in all occupational sectors and industries, their limited upward mobility, and their heavier family responsibilities due to divorce, abandonment and other factors in industrialised countries.³ Some indicators can be used to assess women's status. The Population Crisis Committee (PCC) created a composite index that is used by the World Bank and the United

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³ Mohiuddin, Yasmeen (1995). Country Rankings of Women's Status: an Alternative Index, *Pakistan Development Review*, Winter.

Nations to measure the condition of women. The index focuses on factors evaluating health, education, employment, marriage and childbearing, and social equality.⁴

The United Nations defines women's status as "the combination of a woman's position as a worker, student, wife, mother....of the authority and prestige associated to these roles, and of the rights and obligations she is expected to execute".⁵ The extent of a woman's access to social and material resources within the family community and society, or authority and power within the family community and the prestige demanded by those other members, or their position in the social system distinguishable from other positions are all examples of status. Report on the status of women in India, 1974, or the level to which women have access to education, economic resources, and political power, as well as the degree of autonomy they have in making decisions and personal choices at critical times in their lives. United Nations The concept of status 1975 also transforms the concept of equality. There can be a self-perceived status group that obtained the objective status, a circumstance that can lead to status inconsistency when a person has a high level of one type of status but a low level of another.⁶ To what extent do women, in comparison to men, have an excess of knowledge, economic resources, and political influence, and to what degree do these resources allow for personal autonomy in the process of decision-making and choosing at critical times in the lifecycle?"⁷ Only 6% of India's women personnel gets a far better deal at the workplace, and as you progress up the company ladder, the proportions become more slanted. Only 4% of senior managerial positions are filled by women, with nearly none of them being in a leadership position.⁸ Education, employment position, and intra-household decision-making power are three variables used to assess women's status. Women with a higher degree generally have a better status.⁹ However, in other circumstances, education alone may not be sufficient to improve status unless it is combined with work.¹⁰ The status of women can also be understood through the following headings.

1. Education

⁴ Das, Ira. "Status of women: North Eastern region of India versus India." *International journal of scientific and research publications* 3.1 (2013): 1-8. xcvb

⁵ UN 1995, 'The Convention on the Elimination of All Forms of Discriminations against Women' New York: United Nations.

⁶ Devi, D. Radha. "Status of women in India: a comparison by state." *Asia-Pacific Population Journal* 8.4 (1993): 1-11.

⁷ The United Nations 1975 'Conference on Women in Mexico City' New York: United Nations.

⁸ Bhasin, Veena. "Status of tribal women in India." *Studies on Home and Community Science* 1.1 (2007): 1-16.

⁹ WHO 1989 'Preventing Maternal Deaths. Geneva: World Health Organisation.'

¹⁰ Hogan, D.P., B. Berhanu and A. Hailermarium. 1999. "Household organization, women's autonomy and contraceptive behaviour in southern Ethiopia." *Studies in Family Planning*, 30(4): 302-314.

2. Employment
3. Women in Politics
4. Health
5. Marriage and fertility

(A) Education

Education plays an important role in the overall development of women. Educating girls and young women is a key development goal, as evidenced by the United Nations Millennium Development Goals. Women account for about half of the world's population. However, they suffered greatly as a result of hegemonic male ideology since they were denied equal opportunity in various parts of the world. However, the rise of feminist ideals has resulted in a significant improvement in women's conditions around the world in recent years. One of the essential concerns of these women's rights campaigns has been accessing to education. Women's education has been a key concern of both the government and civil society in India, as educated women may play a critical role in the country's growth. Little has been accomplished in the area of women's empowerment, but in order for this to happen, a series of changes must be implemented in this sector. Though India has the potential to become one of the world's largest economies, it is hampered by a lack of female participation, which can only be attained through the provision of effective and functional education, guidance, and counselling. This, it has been highlighted, is likely to ensure women's empowerment, with its roots in women's efforts to enhance their standing.¹¹ In India, according to the 2001 Census, the male literacy rate was above 75%, while the female literacy rate was 54.16 per cent, and according to the 2011 Census, the male literacy rate is 82.14 per cent, while the female literacy rate is only 65.46 per cent.¹² Researchers are particularly interested in determining what factors account for disparities in development rates. One of the primary explanatory variables behind the rates of social and economic development is women's education. "Investment in the education of females may easily be the highest-return investment available in the developing world," according to noted economist Lawrence Summers.

(B) Employment

There has been a significant increase in the number of women leaving the four walls of the

¹¹ 'Achieving Gender Equality, Women's Empowerment and Strengthening Development Cooperation' Available at: [https://www.un.org/en/ecosoc/docs/pdfs/1050143_\(e\)_\(desa\)dialogues_ecosoc_achieving_gender_equality_women_empowerment.pdf](https://www.un.org/en/ecosoc/docs/pdfs/1050143_(e)_(desa)dialogues_ecosoc_achieving_gender_equality_women_empowerment.pdf), (Visited on April 6, 2021).

¹² Census of India, 2011.

home to work in both rural and towns. They are putting men in a difficult position in the “job market.” The number of women employed in several sectors is continuously increasing. Women who work as teachers, doctors, nurses, advocates, bank employees, clerks, typists, telephone operators, receptionists, personal assistants, and other occupations, for example. Women have been recruited into the armed forces, air force, and naval force since 1991, though in fewer numbers. The government has enacted a number of socio-economic laws to safeguard women’s economic interests and rights, including laws covering the right to property or inheritance, equal salaries, working conditions, maternity benefits, and job security, though the disparity still continues. In regards to employment or appointment to any position, Article 16 of the Indian Constitution says that all citizens of India shall have equal opportunity. Article 39 of the Constitution of India, the state must ensure that men and women have an equal right to a decent living, that men and women receive equal pay, that the economic system does not result in wealth concentration, and that material resources are dispersed to serve a common good.

(C) Women in Politics

The Constitution of India starts with the word, ‘We the people of India’. Women have the same say in Indian politics. Unless women are equally represented with men, somewhere, they are not fully independent. They are equally entitled to cast their vote and participate in elections. But only about 15 per cent of representatives are women.¹³ If half of the population is underrepresented in politics, democracy cannot truly deliver for all of its citizens. Women’s participation in mainstream political activities has far-reaching repercussions for a country’s overall administration. A system of rules, institutions, and ideals that are involved in the management of the state and society are referred to as governance. Political parties, parliaments, governments, and their interactions with society are examples of governance institutions and processes. Although governance is a broad term that can refer to anything from good government to good management, it also refers to governance values, types of government, the nature of political processes, political parties and organisations, which/whose interests are represented and protected, and the extent of power that the masses must challenge the state or suggest alternative governance methods, among other things.

(D) Health

Indian women’s health is inextricably tied to their social status. According to research on women’s status, the contributions Indian women provide to their families are frequently

¹³ Lotika Sarkar "Law and the Status of Women in India." *Colum. Hum. Rts. L. Rev.* 8 (1976): 95.

neglected, and they are instead viewed as economic liabilities. In India, sons are preferred since they are expected to care for their parents as they grow older. This preference for sons, along with large dowry expenses for females, might lead to abuse of daughters. Furthermore, both education and formal labour force involvement are low among Indian women. They usually have limited autonomy, as they are ruled by their fathers first, then their husbands, and lastly, their sons. All of these elements have a negative impact on Indian women's health. Women's health has ramifications not only for themselves but also for their families. Women who are ill are more likely to give birth to babies who are underweight. They are also less likely to be able to feed and care for their children adequately. Finally, a woman's health has an impact on the household's financial well-being because a sick woman is less productive in the labour field. At the same time, India's women face a variety of critical health issues, reproductive health, violence against women, nutritional status, unequal treatment of girls and boys, and HIV/AIDS. Because India's 28 states and 8 union territories have such a diverse range of cultures, religions, and levels of development, it's no surprise that women's health differs dramatically from one state to the next.¹⁴

(E) Marriage and fertility

Article 16 of the Universal Declaration of Human Rights 1948 provides for the right of consenting men and women to marry and start a family.¹⁵ Men and women of full age have the right to marry and start a family without regard to race, nationality, or religion. They have equal rights when it involves marriage, both during it and after it ends.¹⁶ Marriage may only take place with the voluntary and informed agreement of the intended spouses. The family is society's natural and essential group unit, and it is entitled to society's and the state's protection.

Article 16 of CEDAW provides for "States Parties shall take all relevant steps to eliminate discrimination against women in all issues relating to marriage and family relations [...]." The right of a woman to freely and consensually choose her spouse; to have parental rights to her children regardless of her marital status; the right of a married woman to choose a profession or occupation; and the right of a married woman to have property rights within marriage are among the rights included. Polygamy is a controversial practice that is practised in several

¹⁴ Victoria A. Velkoff and Arjun Adlakha "Women's health in India" *available at*: <https://www.sas.upenn.edu/~dludden/wid-9803.pdf> (Visited on April 2, 2021).

¹⁵ *Available at*: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>, (Visited on April 2, 2021).

¹⁶ "40 Basic Rights Women Did Not Have Until The 1970s", *available at*: <https://girlpowergirlstrong.com/40-basic-rights-women-did-not-have-until-the-1970s/>, (Visited on April 2, 2021).

regions of the world. Polygamous marriage contravenes a woman's right to equality with men and may have such serious emotional and financial consequences for her and her dependents that such marriages need to be discouraged and prohibited.

Indian age for marriage is 18 years for girls. Now a bill has been passed by both houses of Parliament to increase the age of girls from 18 to 21 for marriage. PM Narendra Modi spoke for women's empowerment, saying that "when given a chance, women have made India proud and stood up for the country, and that the government's determination now was to provide equal chances for self-employment and employment to them."¹⁷ The majority of developed countries currently look to be approaching demographic stagnation. Several European countries—Austria, East and West Germany, and Luxembourg—have already achieved negative growth, with more deaths than births every year.

II. RIGHT TO DEVELOPMENT OF WOMEN

The Right to Development (RTD) is a human right by virtue of which every human person is entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realised. (Article 1, Declaration on the Right to Development). The gender equality and empowerment of women are essential for the economic and human development in a state or country, not just in terms of integrating women in development but in persuading the broader development outline. The Declaration on the Right to Development emphasises non-discrimination and makes specific reference to the active role of women in the development process in Article 8 (1). The Right to Development (RTD) has been a part of the international human rights discussion for more than three decades, but it has yet to reach the arena of development strategy and execution. States frequently profess rhetorical support for this right while ignoring its core tenets in development. Surprisingly, the US rejects or is hesitant to acknowledge growth as a universal human right.¹⁸ The RTD was proposed as one of several rights belonging to a third "generation" of human rights in the 1970s and 1980s. The first generation, according to this interpretation, comprised of civil and political rights understood as freedom from state abuse. Economic, social, and cultural rights were asserted against exploiters and oppressors in the second generation. The third generation included people's solidarity rights, which covered global issues such as development, the environment, humanitarian aid, peace, communication,

¹⁷ Available at: <https://www.news18.com/news/explainers/explained-why-centre-is-pushing-for-21-yrs-as-minimum-age-of-marriage-for-women-4564898.html>, (Visited on April 4, 2021).

¹⁸ Stephen Marks, "The human right to development: between rhetoric and reality." *Harv. Hum. Rts. J.* 17 (2004): 137.

and shared heritage. Women's equal right to development has been called a universal good.¹⁹ However, the understanding of their right to development is beset by challenges rooted in the inequalities that pervade their lives.²⁰ For women, the right to development does not simply require consideration of how income poverty, understood as lack of monetary and other resources, influences their ability to enjoy their human rights; lack of voice and participation in decision-making within their families and societies also impacts upon their lives and further reinforces their powerlessness.²¹

Human rights are neatly organised into generations, which is appealing in its simplicity. Individual freedoms were prioritised in eighteenth-century revolutionary struggles in Europe and North America, social justice was advanced in nineteenth- and twentieth-century struggles against economic exploitation and rights and obligations were assigned to the principal agents capable of advancing global public goods in the late twentieth century. This viewpoint, however, is deceptive in its assumptions about the historical sequencing and qualitative nature of normative ideas that have achieved international human rights status. Closer examination reveals that the underlying goals at the heart of all three 'generations' statements are not historically determined. For millennia, victims of tyranny and injustice have aspired to fair and equitable treatment. Liberation from slavery and colonialism was stated in terms later mirrored in human rights language, based on principles comparable to those of the so-called third-generation rights.

The Right to Development was described as "a universal and inalienable right and an important aspect of fundamental human rights" in the 1993 Vienna Declaration and Programme of Action. The RTD has also been elevated in the High Commissioner for Human Rights' mandate, with the General Assembly mandating the creation of "a new branch whose major responsibilities would include the promotion and protection of the right to development." The right is frequently addressed in declarations made at international conferences and summits,

¹⁹ United Nations Development Programme (UNDP), Human Development Report 1995: Gender and Human Development (New York, Oxford University Press, 1995); World Bank, *Engendering Development: Through Gender, Equality in Rights, Resources, and Voice* (New York, Oxford University Press, 2001), p. 100; Nicholas D. Kristof and Sheryl WuDunn, *Half the Sky: Turning Oppression into Opportunity for Women Worldwide* (London, Virago, 2010), pp. xxi-xxii.

²⁰ See the reports of the Secretary-General entitled "Effective mobilization and integration of women in development: gender issues in macroeconomic policymaking and development planning" (A/50/399); "Women in development" (A/62/187); and World Survey on the Role of Women in Development (A/64/93).

²¹ These categories are based on UNDP, Human Development Report 2000: Human Rights and Development (New York, Oxford University Press, 2000), p. 17, where "human poverty" is defined as "deprivations in a long and healthy life, in knowledge, in a decent standard of living, in participation". The policy objectives on gender and development of the international development organization Oxfam focus on issues pertaining to both money and human development. See Oxfam, *The Oxfam Handbook of Development and Relief*, D. Eade and S. Williams, eds. (Oxford, Oxfam

including the General Assembly's and Commission on Human Rights' yearly resolutions. The rights and privileges claimed by women and girls around the world are known as women's rights. They were the foundation for the 19th-century women's rights movement as well as the feminist movements of the 20th and 21st centuries. These rights are institutionalised or reinforced by legislation, local custom, and conduct in certain countries, but they are ignored and suppressed in others.

Education is a significant driver of social change and economic growth, and its importance for achieving gender equality has been well-recognised.²² However, the fulfilment of women's educational segment does not essentially render into improved employment opportunities,²³ and women still continue to lag behind men in labour force participation in all regions. In the labour market, unequal pay, occupational exclusion or segregation into low skill and low paid work edges the women's earnings in contrast to men. Education and work can act as multipliers in terms of increased influence and decision-making by women in the household. The situation is worst in countries where detrimental patriarchal traditions such as child marriage and female genital mutilation remain the norm. Globally, one in four girls does not attend secondary school and one in five girls is married before her 18th birthday. In most developing countries, child marriage mugs girls from their bright future and brings a high risk of death and injury related to pregnancy and childbirth and a woman's ability to control the number and spacing of her children is limited or non-existent. Even in many high-income or developed countries, women often get paid less than men for the same jobs, face gender-based discrimination and violence, and suffer from misogynistic attitudes and sexist policies that restrict their autonomy over their own bodies.

The enhancement of women's capabilities and opportunities to make choices is an essential element of human development. While efforts from the government, academia and non-governmental organisations to address these gender issues are there, however still much needs to be done. One of the preliminary steps that must be undertaken is to develop a system of gender-disaggregated data collection, processing and dissemination at both the local and national levels to improve awareness and understanding of gender issues. The right to bodily integrity and autonomy, to be free from sexual violence, to vote, to hold public office, to enter into legal contracts, to possess equal rights in family law, to work, to fair wages or equal pay, to have reproductive rights, to own property, and to education are all issues commonly

²² See Report of the Secretary-General on Beijing 15+ at <http://www.un.org/Docs/journal/asp/ws.asp?m=E/2010/4>

²³ Report on the online discussion on gender, education and employment, 7-20 July 2010, United Nations Division for the Advancement of Women

associated with notions of women's rights. There is a need to assess economic policies and programs in terms of their gender-responsiveness and gender-based impact and change the deeply ingrained assumption of gender neutrality in the thinking of academics, policy advisers, lawmakers and public officials.

III. VIOLENCE AGAINST WOMEN

The term "violence against women" refers to acts of violence conducted predominantly or exclusively against women. "Violence against women is a manifestation of historically unequal power relations between men and women," according to the UN Declaration on the Elimination of Violence Against Women, and "violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared to men."²⁴ The Istanbul Convention of the Council of Europe on preventing and combating violence against women and domestic violence provides the following definition of violence against women: "violence against women" is defined as a violation of human rights and a form of discrimination against women, and it includes all acts of gender-based violence that cause or are likely to cause physical, sexual, psychological, or economic harm or suffering to women. Individuals, groups, and the state can all commit acts of violence against women. It might happen in a private or public setting. Sexual violence, physical violence, psychological violence, and socio-economic violence are all examples of violence against women. Honour killings, dowry violence, and female genital mutilation are examples of kinds of violence against women that have a long cultural history. The World Health Organization considers violence against women to be "a severe public health problem and a violation of women's human rights."²⁵ Men are the most common perpetrators of intimate partner and sexual violence against women. Women's exposure to abusive partners and known risk factors has grown as a result of the COVID-19 epidemic and its social and economic consequences, while their access to treatment has been limited.

IV. COVID-19 AND VIOLENCE AGAINST WOMEN

The COVID-19 pandemic is one of the most prominent threats to humankind. The destructive consequences of the virus have not only resulted in extreme consequences, including the loss of life, but also have severe socio-psychological consequences resulting in fears, anxiety, and sadness among common people and healthcare professionals, creating an imbalance of power

²⁴ Resolution adopted by the General Assembly 48/104. Declaration on the Elimination of Violence against Women, 85th plenary meeting 20 December 1993.

²⁵ Violence against women, World Health Organisation,

and control. One such significant impact that is currently being felt to an alarming extent is the effects of increases in violence against women cases during the pandemic and is worth exploring. Stress, disruption of social and protective networks, increased economic hardship and decreased access to services can exacerbate the risk of women suffering violence. While lockdowns and stay-at-home orders may be vital in limiting and preventing the spread of COVID-19, they also have a devastating impact on women and girls living with the risk of gender-based violence (GBV); as a consequence, the steady rise of domestic violence during the coronavirus pandemic has surely come up as an additional and equally potent challenge at the global level.

Covid-19, or similar pandemic events, increase the rate of domestic violence and the severity of abuse. One of the unique things about Covid-19 and domestic violence is that economic issues are causes and consequences. Nevertheless, with the number of domestic violence cases in some of the worst-hit regions and the economic turbulence regions are facing under the current scenario, we can confirm that economic issues arising during the Covid-19 crisis are the most significant contributors to the surge in domestic violence. Intimate partner violence and sexual violence against women are linked by a number of factors. Intimate partner and sexual violence is the outcome of factors that interact at the individual, family, community, and societal levels to enhance or decrease risk (protective). Some are linked to being a perpetrator of violence, while others are linked to witnessing violence, and yet others are linked to both. The following are risk factors for both intimate partner and sexual violence:

- lower levels of education (sexual assault perpetration and sexual violence experience);
- a history of child maltreatment (including perpetration and witnessing);
- seeing (both perpetration and experiencing) familial violence;
- (perpetration) antisocial personality disorder;
- usage of alcohol in a negative way (perpetration and experience);
- Harmful masculine behaviours, such as having several partners or condoning violence (perpetration);
- communal standards that give men a higher status or assign women a lower rank;
- a lack of paid employment opportunities for women; and
- Gender equality is insufficient (discriminatory laws, etc.).

Intimate partner violence is linked to a number of factors, including:

- exposed to violence in the past;
- Discord and unhappiness in the marriage;
- communication problems between partners; and
- Male domineering behaviour toward their female companions.

The following are some of the factors that have been linked to the perpetration of sexual violence:

- familial honour and sexual purity ideals;
- male sexual entitlement ideas; and
- Sexual violence has weak legal consequences.
- Gender inequality and social standards that make violence against women acceptable are at the basis of the problem.

V. RESPONSE AND PREVENTION

Based on well-designed assessments, there is emerging evidence on what works to prevent violence against women. RESPECT women - a framework for preventing violence against women geared at policymakers was developed in 2019 by WHO and UN Women with the support of 12 other UN and bilateral agencies. RESPECT is made up of seven letters, each representing one of seven strategies: Relationship skills improvement; women's empowerment; access to services; poverty reduction; creation of enabling environments (schools, workplaces, public spaces); prevention of child and adolescent abuse; and shifts in attitudes, beliefs, and conventions. There are a variety of interventions in poor and high resource contexts for each of these seven techniques, with various degrees of evidence of effectiveness. While preventing and reacting to violence against women necessitates a multi-sectoral strategy, the health sector plays a critical role. The healthcare industry can:

- Advocate for making violence against women unacceptably common and treating it as a public health issue.
- Provide comprehensive services, educate and teach health care providers to respond holistically and empathetically to the needs of survivors.
- Prevent recurrence of violence by identifying women and children who are victims of abuse early and providing appropriate referral and support.
- Encourage young people to learn about gender equality as part of their life skills and

comprehensive sexuality education curricula.

- Conduct population-based surveys or include violence against women in population-based demographic and health surveys, as well as surveillance and health information systems, to generate evidence on what works and the scope of the problem.

VI. CONCLUSION

It is widely believed that women have been subjected to various forms of discrimination and deprivation from the dawn of humanity and that they have been denied even basic rights such as access to literacy and property. This global concern has continuously developed over the last few decades, leading to initiatives to integrate women into society, primarily through socio-economic activities aimed at empowering them and therefore restoring gender equality. Women's true empowerment, on the other hand, comes from assisting them in developing their spiritual side, strengthening their character, and manifesting their purity and motherhood. These are the characteristics that define the ideal Indian woman; earning power and public position are secondary. All women are divine because they are pieces of the same limitless divine power. Fully appreciate the significance and necessity of women's empowerment if we are to preserve our cultural traditions and spiritual values while also combating the bad trends that are currently harming our political system.

The indivisibility and interdependency of development and human rights have led many organisations to merge the two concepts in their work. The UNDP, for instance, has stated that eliminating poverty, sustaining livelihood, promoting gender equality, protecting the environment, and capacity building will assist in mainstreaming human rights in the development sector and would also result in a mutually beneficial arrangement that enhances the achievement of universal human rights and development goals.

Women must be given a bundle of rights to develop themselves. Modern consciousness coupled with the women's movement is providing due share to women in the world. It is suggested to imbibe practical measures at various levels to promote a linkage and build evidence of applications of a rights-based approach to the development of women in order to strengthen the capacity of communities—of women and men alike and to attain secure and sustainable livelihoods after all, in simple terms, human rights are about ensuring dignity, equality, and security for all human beings.
