

GENDER EQUALITY IN INTERNATIONAL LAW: ACHIEVEMENTS AND SHORTCOMINGS.

Mirzanazarov Elbek

Student of Namangan State University Faculty of Law

ANNOTATION

Gender equality has emerged as a central theme in international law over the last century. While significant strides have been made in recognizing and institutionalizing gender equality, gaps persist in achieving its full realization. This article examines the milestones achieved in international law concerning gender equality and highlights the areas where shortcomings remain.

Key words: Gender equality, international law, women's rights, human rights, discrimination, gender-based violence.

INTRODUCTION

The principle of gender equality is enshrined in international law through key legal frameworks, conventions, and declarations. The adoption of the Universal Declaration of Human Rights (UDHR) in 1948 marked a crucial step in affirming the equality of all individuals, regardless of gender. Subsequent treaties, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), have further institutionalized commitments to gender equality. However, despite these efforts, gender disparities remain pervasive, highlighting the limitations of legal frameworks in addressing deeply rooted societal and structural inequalities.

The United Nations (UN) categorizes the issue of gender inequality as a global challenge, urging states to transform prevailing gender norms that uphold unequal systems and double standards. Gender equality is both a fundamental value and a societal advantage. Although progress varies across different regions of the world, the overarching trajectory remains consistent.

Adopted by the UN General Assembly at its 183rd session on December 10, 1948, as Resolution 217, the Universal Declaration of Human Rights (UDHR) asserts that "... Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any

kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status...” .

Article 2 of the UDHR explicitly establishes that all individuals are entitled to the rights and freedoms proclaimed in the Declaration, without discrimination based on race, color, sex, language, religion, political or other beliefs, national or social origin, property, birth, or any other status. This Declaration served as a catalyst for strengthening international commitments to women’s rights. These commitments were further solidified in the 1979 UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

CEDAW, widely regarded as the International Bill of Rights for Women, is a comprehensive international human rights treaty focused on gender equality. It affirms the equal rights of men and women and comprises 30 articles that define discrimination against women while outlining a framework for action at the national level to eliminate such practices. A pivotal moment in the pursuit of gender equality was the UN’s organization of four global conferences aimed at developing strategies and action plans to improve the status of women. These conferences were held in Mexico City (1975), Copenhagen (1980), Nairobi (1985), and Beijing (1995).

Notable progress in advancing gender equality was achieved during the Fourth World Conference on Women in Beijing in 1995. The resulting Beijing Declaration and Platform for Action identified 12 key areas for improving the status of women and achieving gender equality: (1) Women and poverty; (2) Education and training of women; (3) Women and health; (4) Violence against women; (5) Women and armed conflict; (6) Women and the economy; (7) Women in power and decision-making; (8) Institutional mechanisms for the advancement of women; (9) Women’s human rights; (10) Women and the media; (11) Women and the environment; and (12) The girl child.

These conferences marked a turning point in the global fight for gender equality, setting the stage for sustained efforts to address disparities and enhance the rights and opportunities of women worldwide.

The primary shift involved recognizing the necessity to reevaluate societal structures and the dynamics between men and women within them. Only through such a comprehensive reorganization of society and its institutions can women gain equal opportunities to stand alongside men as partners in all areas of life. This new emphasis highlights that women's rights are, fundamentally, human rights and frames gender equality as a shared challenge, the

resolution of which benefits everyone. The Beijing Conference galvanized the global community to commit to empowering women and expanding their opportunities, drawing unprecedented international attention.

In July 2010, the UN General Assembly created UN Women on Gender Equality to unify and bolster the efforts of various UN agencies. This initiative aimed to support intergovernmental bodies and member states in formulating and implementing policies to advance gender equality and empower women. This step marked a historic milestone in accelerating the UN's objectives regarding gender equality and women's empowerment.

The Council of Europe is another key international organization dedicated to promoting gender equality. It plays a significant role in fostering this idea by adopting international legal frameworks that enshrine gender equality standards. The Council's work in human rights and gender equality has produced extensive legal instruments and policy recommendations that enhance women's empowerment and ensure the effective implementation of gender equality across member states and beyond.

Since the 1990s, the Council of Europe has championed a gender-sensitive approach, starting with the creation of the Group of Specialists on Mainstreaming in 1995. In 1998, the Committee of Ministers of the Council of Europe adopted a Recommendation on Gender Mainstreaming. This strategy has since become a cornerstone of the Council's efforts to advance gender equality.

The Council's work in this area gained renewed momentum with the launch of the Transversal Program on Gender Equality in 2012. This initiative led to the adoption of the Council of Europe's first-ever Gender Equality Strategy (2014–2017). The subsequent Gender Equality Strategy for 2018–2023 focuses on several strategic priorities: combating gender stereotypes and sexism, preventing and addressing violence against women and domestic violence, ensuring women's equal access to justice, achieving gender-balanced participation in political and public decision-making, safeguarding the rights of migrant women, girls, refugees, and asylum seekers, and integrating gender mainstreaming into all policies and initiatives.

The Council of Europe's Transversal Program on Gender Equality, initiated in 2012, aims to enhance the impact and visibility of gender equality standards while supporting their implementation across member states. To achieve its objectives and advance the gender equality agenda, the Program depends on the political and financial backing of member states, as well as the active participation of decision-making, advisory, and monitoring bodies within

the Council of Europe. Central to these efforts is the Gender Equality Commission (GEC), which oversees the management of the Transversal Program, provides guidance, fosters collaboration among various components, and engages with intergovernmental bodies to share knowledge and establish a platform for discussing best practices and addressing challenges.

The Gender Equality Strategy for 2018–2023 defines gender equality as ensuring equal rights for women and men, girls and boys, alongside equal visibility, empowerment, responsibilities, and participation in all areas of public and private life. It also involves equitable access to and distribution of resources between women and men.

The Council of Europe has strengthened its commitment to gender equality by implementing effective mechanisms, reflected in key conventions that incorporate gender mainstreaming. These include the **Convention on Action against Trafficking in Human Beings (2005)**, the **Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention, 2011)**, and the **Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention)**.

These conventions serve as innovative and comprehensive tools for safeguarding human dignity and are closely aligned with the UN Sustainable Development Goals (SDGs) for 2015–2030. Notably, their global applicability allows states outside the Council of Europe, even those not involved in drafting the conventions, to become signatories. This approach acknowledges the global nature of issues like gender-based violence, human trafficking, and the sexual exploitation of children, emphasizing the need for solutions that transcend geographical boundaries.

The Istanbul Convention's framework is built on the **Four Pillars (4-P)** model:

1. **Prevention** – Taking measures to prevent all forms of violence against women.
2. **Protection** – Ensuring protection from all forms of violence against women.
3. **Prosecution** – Bringing perpetrators of violence against women to justice.
4. **Policy Integration** – Addressing violence against women not only through legal mechanisms but also by fostering substantive equality between women and men through comprehensive policy initiatives.

CONCLUSION

International law has laid a solid foundation for promoting gender equality, but its full potential remains unrealized. Achievements such as CEDAW and the Beijing Platform for Action signify progress, yet challenges such as enforcement gaps, structural barriers, and

persistent inequalities highlight the need for stronger legal and policy measures. To address these shortcomings, international legal frameworks must prioritize accountability, intersectionality, and gender-sensitive policymaking. Gender equality is not only a matter of justice but also essential for sustainable development and global peace.

References

1. Universal Declaration of Human Rights (1948).
2. Convention on the Elimination of All Forms of Discrimination Against Women (1979).
3. Beijing Declaration and Platform for Action (1995).
4. Istanbul Convention (2011).
5. Sustainable Development Goals (2015).
6. Case law from the European Court of Human Rights and Inter-American Court of Human Rights.