



**NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM**

**PROGRAMME: B.A LL.B.(HONS)**

**DETAILS OF COURSE OFFERED**

**ODD SEMESTER – ACADEMIC YEAR 2021-2022**

<b>SL. No</b>	<b>COURSE CODE</b>	<b>COURSE TITLE</b>	<b>L</b>	<b>CR</b>	<b>CH</b>
<b>1</b>	<b>BL107-E</b>	<b>GENDER JUSTICE AND INTERNATIONAL LEGAL PERSPECTIVE (CBCC)</b>	<b>2 PER WEEK</b>	<b>2</b>	

- a. CODE AND TITLE OF THE COURSE: BL107-E GENDER JUSTICE AND INTERNATIONAL LEGAL PERSPECTIVE (CBCC)**
- b. COURSE CREDIT: 2 (TOTAL MARKS-50 )**
- c. MEDIUM OF INSTRUCTION: ENGLISH**
- d. COURSE COMPILED BY: DR KASTURI GAKUL**
- e. COURSE INSTRUCTOR: DR KASTURI GAKUL**

## **1. COURSE OBJECTIVES**

Gender Justice connotes that all human beings irrespective of their gender are to be treated equally in all the spheres of life. Every individual including women and girls are entitled to live in dignity and in freedom without any fear. Establishment of a peaceful and sustainable world necessitates the foundation of Gender equality. This has been realized by India in particular and the world community at large which has emphasized upon the equal status of men and women and expressly prohibited discrimination on the basis of sex. Nevertheless women around the world including India are regularly suffering from violations of their human rights throughout their lives which impede the goal of achieving Gender equality. Achieving equality between women and men requires a comprehensive understanding of the ways in which women experience discrimination and are denied equality so as to develop appropriate strategies to eliminate such discrimination. For such understanding it is essential to focus on the concept of sex, gender, gendered socialization etc. India has responded to the problem of gender equality through legislative and judicial measures. There is a gamut of international legal framework which through various international and regional instruments have advocated for the protection of the rights of women so as to promote Gender Justice. These international instruments have also guided the development of certain laws pertaining to women in India. The present course is primarily confined to the discussion on the international and regional framework on the rights of women. Considering the present situation around the world due to COVID-19 pandemic on the lives of all human beings, the present course will also briefly focus on the impact of COVID-19 on the human rights of women.

The objectives of the course are-

- i. To familiarize the students with the concepts related to gender justice and gender equality.
- ii. To explain the concept of human rights and discuss about the historical development of international human rights law with particular reference to human rights of women.
- iii. To discuss the rights of women vis-a-vis international and regional human rights law, international humanitarian law, international criminal law and international labour law.
- iv. To acquaint students with the global initiatives relating to rights of women.
- v. To discuss the role of United Nations Bodies with regard to women's rights.
- vi. To discuss the impact of COVID-19 on women's human rights.
- vii. To generate awareness among students regarding the challenges and issues of Gender equality.

## **2. TEACHING METHODOLOGY**

The teaching methodology shall aim at the generation of critical thinking among the students. To develop an understanding on varied topics of gender justice, group discussion and brain-storming sessions will be held in the classroom. The teacher will guide the students in their pursuit of legal learning through application of the planned

teaching process which includes introduction of the basic concept, presentation and discussion of the subject-matter in details, recapitulation on the topic discussed through questioning, clarification of doubts and queries, if any, and suggestions for further readings. The topic for a particular class shall be informed to the students before hand and readings shall be assigned to them for the said topic. They are expected to have a basic idea about the topic prior to the class. Subsequent to a brief lecture on the topic, there shall be class discussion on the same as well as on the readings assigned. Pursuant to the class discussion, the teacher shall substantiate the issues raised and answer any questions posed or left unanswered. The topics will be taught through projected teaching aids like power point presentation.

### **3. EXPECTED OUTCOMES OF THE COURSE**

At the completion of the course, it is humbly expected that the students shall:

- i. Understand the nuances of each module and comprehend the intricacies of various topics related to gender justice.
- ii. Be able to analyze the contemporary issues pertaining to gender justice in the light of the concepts learnt and articulate their ideas on the subject matter of the course.
- iii. Produce at least one research paper of publishable quality.
- iv. Undertake future studies and research work on gender justice.

### **4. COURSE EVALUATION METHOD**

The course shall be assessed for 50 marks. The Evaluation scheme would be as follows:

1	Multiple Choice Question Test	15 Questions x 2 marks = 30 Marks
2	Assignment/ Essay Type Question	20 Marks
	Total	50 Marks

### **5. DETAILED STRUCTURE OF THE COURSE (SPECIFYING COURSE MODULES AND SUB-MODULES)**

#### **MODULE 1**

##### **CONCEPTUAL FRAMEWORK:**

Gender and Sex

Gendered Socialization

Stereotyping

Patriarchy

Gender Justice and Gender Equality – Meaning, Issues and Challenges

Gender Mainstreaming

## **INTERNATIONAL LEGAL FRAMEWORK AND RIGHTS OF WOMEN**

Human Rights – Concept and Historical Perspective

International and Regional Human Rights Law

International Humanitarian Law

International Criminal Law

International Labour Law

## **MODULE 2**

### **GLOBAL INITIATIVES ON RIGHTS OF WOMEN**

Vienna Declaration and Programme of Action

International Conference on Population and Development

Beijing Declaration and Platform for Action

Millennium Development Goals

Sustainable Development Goals and Gender Equality

### **UNITED NATIONS BODIES AND RIGHTS OF WOMEN**

The Human Rights Council

United Nations Security Council

Commission on the Status of Women

## **6. PRESCRIBED READINGS**

- Rhona K.M. Smith, TEXTBOOK ON INTERNATIONAL HUMAN RIGHTS, 4th ed. Oxford University Press, 2010.
- Philip Alston and Ryan Goodman, INTERNATIONAL HUMAN RIGHTS – THE SUCCESSOR TO INTERNATIONAL HUMAN RIGHTS IN CONTEXT: LAW, POLITICS AND MORALS, Oxford University Press 2013.
- B.C. Acharya, A HANDBOOK OF WOMEN’S HUMAN RIGHTS, Wisdom Press, 2011.
- H.O. Agarwal, HUMAN RIGHTS, 12th ed. Central Law Publications, 2010.

- K.C. Joshi, INTERNATIONAL LAW AND HUMAN RIGHTS, Eastern Book Company, 2006
- YSR Murthy, HUMAN RIGHTS HANDBOOK, Lexis Nexis, 2007
- Anjani Kant, LAW RELATING TO WOMEN AND CHILDREN, 3<sup>rd</sup> ed, Central Law Publication, 2012.
- Lalita Dhar Parihar, WOMEN AND LAW, 1<sup>st</sup> ed, Eastern Book Company, Lucknow, 2011.
- Mamta Rao, LAW RELATING TO WOMEN AND CHILDREN , 3<sup>rd</sup> ed, Eastern Book Company, Lucknow, 2012.
- United Nations Human Rights Office of the High Commissioner, Women’s Rights are Human Rights, (United Nations 2014)
- Thomas Buergenthal, INTERNATIONAL HUMAN RIGHTS IN A NUTSHELL, West Academic Publishing; 4th ed, St. Paul (U.S.), 2009
- United Nations Human Rights Office of the High Commissioner, Covid-19 and Women’s Human Rights: Guidance (United Nations 2020)
- Matthew Lippman , “*Humanitarian Law: War on Women*”, 2000, pp.33-119 (Heinonline citation: 9 Mich. St. U.-DCL J. Int'l L. 33 2000)
- M.K.Balachandran and RoseVarghese, ed. INTRODUCTION TO INTERNATIONAL HUMANITARIAN LAW , 1st ed. 2007
- Valerie Oosterveld, Feminist Debates on Civilian Women and International Humanitarian Law (*Heinonline* Citation: 27 Windsor Y.B. Access Just. 385 2009)
- P.A. Cain, “Feminism and the Limits of Equality” in Michael Freeman FBA, *Lloyd’s Introduction to Jurisprudence*, (Thomas Reuters, 2014).
- R.West, “Jurisprudence and Gender” in Michael Freeman FBA, *Lloyd’s Introduction to Jurisprudence*, (Thomas Reuters, 2014).
- Thomas Buergenthal, “The Normative and Institutional Evolution of International Human Rights” *Human Rights Quarterly*, Vol. 19, No. 4 (Nov., 1997), pp. 703-723 (Available at <http://www.jstor.org/stable/762684>)
- Rebecca J. Cook, “*Women's International Human Rights Law: The Way Forward*”, *Human Rights Quarterly*, Vol. 15, No. 2 (May, 1993), pp. 230-261. (Available at <http://www.jstor.org/stable/762538>)
- United Nations Entity for Gender Equality and the Empowerment of Women and Women Enabled International Women Enabled International, “Women, Girls, and Gender Non-Conforming People With Disabilities — Know Your Rights! Gender-Based Violence during The Covid-19 Pandemic” (UN Women and Women Enabled International, 2021)

#### **International Legal Instruments:**

- United Nations Charter 1945
- Universal Declaration of Human Rights 1948
- Convention on the Political Rights of Women 1952
- International Covenant on Civil and Political Rights 1966
- International Covenant on Economic, Social and Cultural Rights 1966

- Convention on the Elimination of All Forms of Discrimination against Women 1979 Declaration on the Elimination of Violence against Women 1993
- Beijing Declaration and Platform of Action 1995
- Convention on the Rights of Persons with Disability 2006
- Rome Statute of the International Criminal Court 1998
- Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of 12 August 1949
- Geneva Convention Relative to the Treatment of Prisoners of War of 12 August 1949
- Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949
- Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts. Geneva, 8 June 1977.
- Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts. Geneva, 8 June 1977.
- Equal Remuneration Convention 1951 (No. 100)
- Discrimination (Employment and Occupation) Convention 1958 (No. 111)
- Workers with Family Responsibilities Convention 1981 (No. 156)
- Social Security (Minimum Standards) Convention 1952 (No. 102)
- Maternity Protection Convention 2000 (No. 183)

**Regional Instruments:**

- The African Charter on Human and Peoples' Rights 1981
- The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa 2003
- The Charter of the Organization of American States
- American Convention on Human Rights 1969
- The Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, 1994
- The European Convention on Human Rights and Fundamental Freedoms 1950
- Council of Europe Convention on preventing and combating violence against women and domestic violence 2011