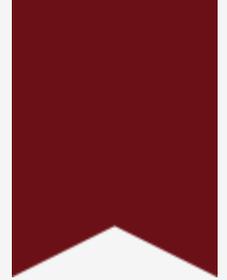


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Gender based violence and discrimination

Human Rights Council (HRC)

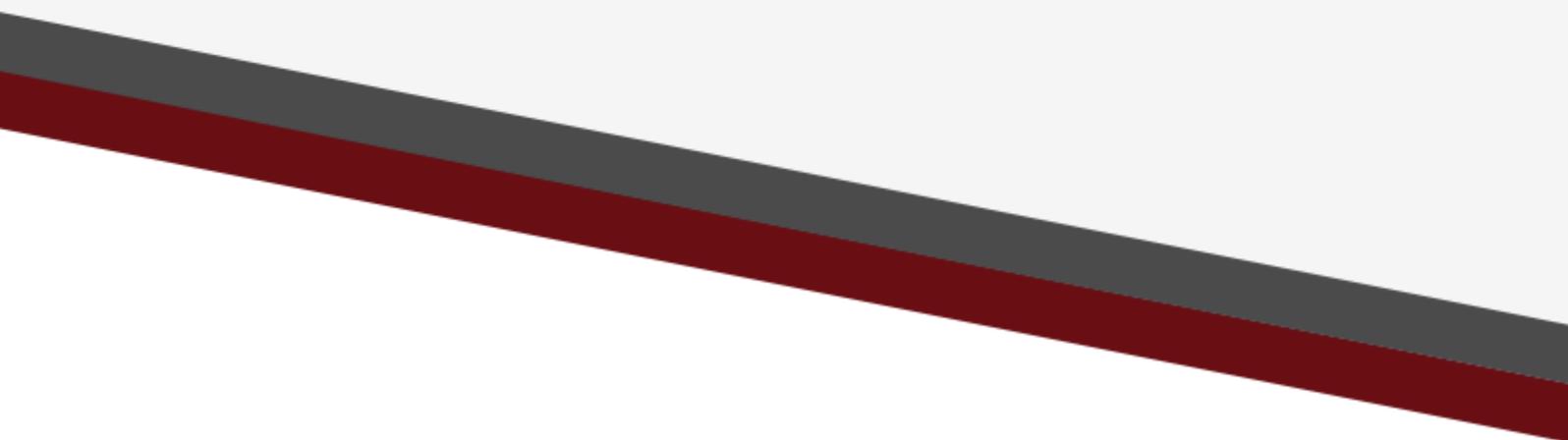


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Introduction

Despite the progress that is being made in the law, education, and awareness, many individuals still experience violence and unequal treatment, due to their gender. These issues do not only exist in developing countries, but in every country on this earth, making it an international problem.

Gender-based violence refers to a harmful act that is towards someone based on their gender. This act can be physical, verbal, sexual, psychological, and even economic abuse. Discrimination based on gender often comes from old social norms, cultural beliefs, and an imbalance in power that makes one gender be above the other. Unfortunately, women and girls are most commonly affected, but however men, and intersex individuals can still experience discrimination and violence, especially in places with strict gender expectations and norms.

These issues raise serious human rights concerns, as gender based violence limits a person's right to safety, equality, and freedom. As the awareness of these issues has been increasing and more and more cases are being reported globally, the world has put more attention on the need for more prevention, protection, and accountability. However this does not mean we are anywhere close to solving this issue.

At the centre of this issue lies two of many difficult questions, how can different countries protect people from gender based violence and discrimination while still respecting cultural differences and practices? And how better can nations improve their enforcement of already existing laws? These questions make gender-based violence and discrimination a complex and sometimes controversial topic in the Human Rights Council.

Definition of key terms

Domestic violence-

Violence or abuse that occurs inside the home, commonly involving an intimate partner, a family member, or a person close to the victim.

Gender-based violence-

Any harmful act committed against an individual based on their gender. This includes physical, sexual, psychological, and economic harm.

Gender discrimination-

The unfair or unequal treatment of somebody based on their gender, often meaning they have limited rights or opportunities.

Gender inequality-

When an individual does not have equal rights, responsibilities, or opportunities due to their gender.

Harmful social norms-

Cultural or societal beliefs that reinforce stereotypes and unequal power between genders.

Sexual violence-

Any sexual act or behaviour carried out without consent, including assault, harassment, exploitation, or leaking of nude photos.

General Overview

Gender-based violence and discrimination remains an international issue across many parts of the world. In which form it takes changes between the different countries, the root cause often remains the same. Unequal power, harmful stereotypes, weak legal protections, and poor enforcement of already existing laws are all major contributing factors to this form of violence. In many places, traditional gender roles also continue to create expectations that limit freedom, especially for women and young girls .

Different national laws can restrict access to education, healthcare, or employment to a specific gender. In other countries, laws that protect people against gender-based violence exist but are rarely enforced, making the laws close to impractical. This makes many victims have very little to no access to justice or support systems. Also, the added fear of damaging reputation, victim-blaming, and lack of trust in authorities also add to the rate of underreporting that these sorts of crimes have.

Gender-based violence does not only happen due to societal and cultural norms, it can happen in any online or any real life environment. Harassment and abuse in these spaces prevents victims from fully participating and enjoying their social, economic ,career, and personal life. Along with the rise of digital platforms, new forms of violence such as online harassment, hate groups, cyberstalking, and the non-consented sharing of images have become increasingly common, making the battle against gender-based violence even harder.

Along with online platforms giving way for gender based violence to expand, so does conflict and low development in countries. Conflict can result in higher levels of gender-based violence especially against women and girls. In times of conflict women and girls are usually victims of sexual violence as a tactic in war. Gender-based violence is more present in post conflict or developing countries as the enforcement of laws is generally less strict.

Unfortunately, progress still remains questionable, as many countries continue to ignore acts of gender based violence that occur in their nation. However, through the means of international treaties, UN resolutions, and awareness campaigns, efforts have and are slowly being made to promote gender equality and protect people, especially women and girls from harm of this violence. It is crucial that we put more international efforts to provide solutions to eradicate the amount of gender based violence present in our current world.

Major Parties Involved

Conflict Zones-

Gender-based violence is especially common in conflict zones, the instability caused by the conflict weakens legal systems and protection systems, making it easier to commit and get away with gender based violence. It has also been seen in many cases that sexual violence such as rape or forcing innocent civilians to engage in sexual activities is often used as a weapon or a show of authority during conflict, also displacement increases vulnerability to exploitation and abuse.

Developed Countries-

Even in developed states with strong legal frameworks, gender-based violence remains a concern. Countries such as the United Kingdom, the United States of America, Finland, and Denmark have reported about 30-50% of their female population have experienced some form of gender based violence. Domestic violence, workplace harassment, and discrimination continue to occur daily without a lot of care or action to stop the issue. Further highlighting the gaps between what the law states and what actually occurs in real life.

United Nations and International Organisations-

UN bodies such as UN Women, the Human Rights Council, and OHCHR play a key role in monitoring, supporting victims, and encouraging states to adopt protective measures. Though their efforts are not always seen, but do have trust, these bodies put a large amount of attention, work and care into their cause.

Civil Society Organisations-

NGOs play a more positive role in this issue. NGO's such as Women Against Violence and GOAL are known to provide victims with support services such as shelters, therapy, legal assistance, and education programs. Some NGO's if permitted also keep documents of the abuse that occurred and advocate for stronger protections and accountability.

Religious and Traditional Institutions-

Due to their strong influence on social norms and gender roles, in many societies, these institutions shape views on family structures, what is considered acceptable behaviour, and gender expectations. While some leaders promote equality and openly disagree with violence, others may support or justify violent practices such as female genital mutilation though these practices only reinforce discrimination or further discourage victims from reporting abuse. This can make legal help more difficult, as governments may face resistance from influential leader figures. As a result, victims may not be able to access protection or justice.

Timeline of Events

1948 December 10 The Universal Declaration of Human Rights was adopted by the United Nations, establishing equality, dignity, and freedom from discrimination as fundamental human rights.

1979 December 18 The Convention on the Elimination of All Forms of Discrimination Against Women was adopted, becoming the first legally binding international treaty focused specifically on gender discrimination.

1993 December 20 The UN Declaration on the Elimination of Violence Against Women formally recognises gender-based violence as a violation of human rights and calls on states to take more action.

1994 September 13 The International Conference on Population and Development calls attention to the link between gender equality, reproductive rights, and protection from violence.

1995 September 15 The Beijing Declaration and Platform for Action is adopted, creating clear global commitments to try prevent gender-based violence and promote gender equality.

2011 May 11 The Council of Europe adopts the Istanbul Convention, the first legally binding regional treaty to prevent and combat violence against women and domestic violence.

2015 September 25 The United Nations adopts the Sustainable Development Goals, including Goal 5, which aims to achieve gender equality and eliminate all forms of violence against women and girls.

2023 November 25 UN reports highlight continued high global rates of gender-based violence, stressing the need for stronger enforcement and international cooperation to reduce gender based violence in the modern day.

Relevant UN Treaties and Events

Convention on the Elimination of All Forms of Discrimination Against Women

(CEDAW)- Requires countries to remove all forms of discrimination against women in law and practice and to take measures to protect women from violence, 18 December 1979.

Declaration on the Elimination of Violence Against Women- Gives a definition to gender-based violence and urges countries to prevent violence, protect victims, and hold perpetrators accountable, 20 December 1993.

Beijing Declaration and Platform for Action- Provides a solid framework for enhancing gender equality and addressing violence through legal, social, and institutional reforms, 15 September 1995.

UN Sustainable Development Goals, Goal 5- Commits states to achieving gender equality and eliminating all forms of violence against women and girls, 25 September 2015.

Previous Attempts to Solve the Issue

CEDAW Monitoring and Reporting System, United Nations-

Countries that are in the party CEDAW are required to submit regular reports on their progress in eliminating discrimination. This system allows for the UN to monitor progress and development in the elimination of gender-based violence and provide recommendations.

National Legislation on Domestic and Sexual Violence, Global-

Many countries have introduced laws making domestic violence, sexual assault, and harassment an actual crime. While these laws represent progressiveness towards the issue, enforcement remains a huge problem as it is mainly inconsistent in many regions.

Public Awareness and Education Campaigns, Global-

Governments and organisations have launched campaigns to challenge harmful gender norms and encourage the reporting of violence. For example advocacy posters hung up in public spaces, or ads shown online. These aim to reduce stigma around the reporting of crimes and further promote prevention.

Support Services for Victims, Global-

The creation of shelters, hotlines, and legal aid services has given victims easier access to support. However, availability and funding of these services vary widely between nations.

Possible Solutions

Solution #1- Bettering the Enforcement of Pre-existing Laws

Creating laws to bring justice to these crimes is not the biggest issue, but instead the enforcement of these laws is the issue internationally. Countries should focus more on how to better enforce these laws rather than to create more laws that will also be weakly enforced. This can be done by training law enforcement and judicial bodies to treat any gender-based violence case as seriously as any other crime.

Solution #2- Funding and Improvement of Support Systems

Support systems have already been made but are hard to maintain due to the limit of funds to sustain a lot of victims. Focusing on the funding and improvement of these places is essential as it directly helps those who are directly affected by the very issue we will be discussing.

Solution #3- Creation of Harsher and Stricter Punishments

One reason gender-based crimes have been on rise is due to their lack of legal punishment. Though this take may be a bit controversial, the creation of harsher and stricter minimum punishments to common forms of gender based violence such as harrasment, rape, or hate speech could overtime lead to a reduction in the occurrence of these crimes.