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The Role of Human Rights in Violence against Women and the Protection of Children with special reference to Rape, Dowry death and POCSO

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Abstract:

Violence against women and the protection of children are ongoing human rights issues that necessitate urgent and comprehensive action. This analysis explores the role of human rights frameworks, both at the national and international levels, in addressing violence against women while ensuring the safety, dignity, and welfare of children. It investigates how fundamental human rights principles, such as equality, non discrimination, bodily integrity, and the right to life, underpin legal, social, and institutional responses to these matters. The findings highlight the efficacy of human rights based interventions, including legislative measures, policy reforms, community awareness initiatives, and support systems, in preventing abuse and protecting at risk groups. Simultaneously, it identifies persistent shortcomings in implementation, enforcement, and access to justice that impede effective protection. By adopting gender sensitive and child centered human rights approaches, the analysis underscores the need for more robust institutional mechanisms, coordinated social services, and collaborative efforts across sectors. Ultimately, the research illustrates that human rights are not only legal assurances but also crucial tools for transforming societal norms, empowering women and children, and creating a safer and more equitable society.

Keywords: Human Rights, Protection of Children, POCSO, Dowry death, Violence against Women

Introduction

Violence against women and violations of children's rights remain among the most pervasive and persistent human rights challenges of the 21st century. Despite global progress in legal reforms,

advocacy efforts, and institutional mechanisms, women and children continue to face various forms of abuse, exploitation, and discrimination rooted in historical inequalities, patriarchal norms,

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and social power structures. Gender based violence ranging from domestic violence, sexual assault, trafficking, and emotional abuse undermines the dignity and fundamental freedoms of women. Similarly, children are vulnerable to neglect, physical and sexual exploitation, child labour, early marriage, and other forms of harm that threaten their development and well being.

Human rights principles provide a universal framework for addressing these issues by affirming that all individuals possess inherent dignity and are entitled to equal protection under the law. International instruments such as the Universal Declaration of Human Rights (UDHR), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the Convention on the Rights of the Child (CRC) establish clear obligations for states to prevent violence, protect victims, and promote a safe and inclusive society. National level legislation, child protection systems, women's commissions, and social welfare programs in many countries including India reflect these commitments, yet gaps remain in implementation, enforcement, and awareness.

The role of human rights in tackling violence against women and ensuring child protection lies not only in shaping legal frameworks but also in influencing social attitudes, empowering vulnerable groups, and strengthening institutional responses. Understanding this connection

is essential for developing holistic strategies that address root causes, promote justice, and advance gender and child sensitive policy interventions. This study explores the intersection of human rights and protection mechanisms, analyzing how rights based approaches can effectively reduce violence, enhance accountability, and support survivors in creating a safer and more equitable society.

Review of Literature

The issue of violence against women and the protection of children has been widely documented across disciplines such as sociology, law, psychology, and human rights studies. Scholars consistently emphasize that gender based violence and child abuse are rooted in historical inequalities, power imbalances, and social norms that normalize or justify discrimination (UN Women, 2019). According to Heise (1998), the ecological model explains violence as a multifaceted phenomenon influenced by individual, relational, community, and societal factors, highlighting the need for a rights based and holistic approach.

The adoption of international human rights instruments, particularly the Universal Declaration of Human Rights (UDHR), Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the Declaration on the Elimination of Violence against Women (1993), has significantly shaped global discourse on women's safety.

Scholars such as Merry (2006) argue that these frameworks help localize global human rights principles into national contexts, influencing laws and social awareness.

Studies by Garcia Moreno et al. (2005) reveal that violence against women is a global public health issue, with long-term psychological, physical, and economic consequences. Legal reforms, while essential, remain insufficient without community participation and effective enforcement. Research has consistently shown that domestic and sexual violence are among the most common forms of abuse faced by women. Nussbaum (2000) asserts that gender inequality, lack of economic freedom, and patriarchal norms limit women's autonomy and increase their vulnerability. Indian studies, including those by the National Family Health Survey (NFHS), show that socio cultural beliefs, dowry practices, and economic dependency contribute substantially to women's exposure to violence.

Scholars highlight that women often face multiple barriers including stigma, fear, and lack of access to justice that hinder reporting and help seeking behavior (Krishnan, 2005). The Convention on the Rights of the Child (CRC, 1989) marked a turning point by recognizing children as rights holders rather than passive beneficiaries. According to Lansdown (2001), child protection must include not only preventing abuse but also ensuring

children's participation, development, and dignity.

Studies by UNICEF (2014) show that children face risks such as physical abuse, sexual exploitation, trafficking, and child labour, especially in socio economically disadvantaged settings. Research emphasizes that strengthening education, community awareness, and legal enforcement are critical for safeguarding children's rights.

In India, several studies have examined the impact of legislation such as the Protection of Women from Domestic Violence Act (2005), Protection of Children from Sexual Offences (POCSO) Act (2012), and Juvenile Justice Act (2015). Scholars such as Bajpai (2018) note that while these laws are comprehensive, the effectiveness depends on trained personnel, infrastructure, and social support systems. Research by Lal and Paul (2017) highlights that human rights commissions, women and child welfare departments, and helpline services play an important role, but gaps remain due to underreporting, inadequate implementation, and socio cultural resistance.

Background of the Study

The issue of violence against women and the violation of children's rights remains one of the most pervasive and persistent human rights challenges of the 21st century. Despite global advancements in legal reforms, advocacy efforts, and institutional mechanisms, women and children continue to

experience various forms of abuse, exploitation, and discrimination that are rooted in historical inequalities, patriarchal norms, and social power structures. Gender based violence including domestic violence, sexual assault, trafficking, and emotional abuse compromises the dignity and fundamental freedoms of women. In a similar vein, children are vulnerable to neglect, physical and sexual exploitation, child labor, early marriage, and other forms of harm that threaten their development and well being. Human rights principles provide a universal framework for addressing these issues by affirming that all individuals possess inherent dignity and are entitled to equal protection under the law. International instruments such as the Universal Declaration of Human Rights (UDHR), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the Convention on the Rights of the Child (CRC) establish clear obligations for states to prevent violence, protect victims, and promote a safe and inclusive society. National level legislation, child protection systems, women's commissions, and social welfare programs in many countries including India reflect these commitments, yet gaps remain in implementation, enforcement, and awareness.

Significance of the Study

The research concerning the impact of human rights on combating violence against women and safeguarding children

possesses significant academic, social, and policy implications. To begin with, it enriches the current knowledge base by offering a more profound comprehension of how human rights principles influence legal structures, institutional frameworks, and community actions. As the nature of violence and child maltreatment continues to change in both form and complexity, this research provides contemporary insights that can facilitate further exploration in the fields of social sciences, law, gender studies, and human rights. Moreover, the study carries considerable social significance. The issues of violence against women and the infringement of children's rights not only harm individuals but also undermine families, communities, and overall societal progress. By illuminating the discrepancies between human rights obligations and the realities faced on the ground, this research fosters awareness and motivates public engagement in the pursuit of safety, equality, and justice. It lays the groundwork for enhancing support systems for survivors, reforming detrimental social norms, and promoting gender sensitive educational initiatives. Lastly, the research is of great importance to policymakers, governmental bodies, and organizations dedicated to the protection of women and children. It provides empirical evidence that can guide the formulation, assessment, and enhancement of legislation, welfare initiatives, and intervention approaches. Grasping how human rights frameworks

can be effectively enacted allows authorities to bolster accountability, diminish violence, and guarantee improved access to justice and rehabilitation services.

Finally, the study has practical significance for NGOs, social workers, educators, and human rights advocates. It equips them with relevant knowledge to develop community outreach programs, awareness campaigns, and advocacy initiatives aimed at preventing violence and ensuring the holistic protection of women and children. By linking human rights principles with everyday realities, the study contributes to building a more inclusive, equitable, and rights-based society.

Human Rights in Violence against Women and the Protection of Children in Karnataka

Violence against women and the protection of children in Karnataka are closely linked to the broader framework of human rights, which emphasizes dignity, equality, and freedom from violence. The state implements several constitutional and legal safeguards to uphold these rights, including the Protection of Women from Domestic Violence Act, laws against dowry and sexual harassment, and the Protection of Children from Sexual Offences (POCSO) Act, which ensures child-friendly procedures and strict punishment for abuse. Institutions such as the Karnataka State Commission for Protection of Child Rights and the Department of Women and Child

Development play a crucial role in monitoring violations, providing rehabilitation, and promoting awareness. From a human rights perspective, violence against women and children is a direct violation of the right to life, personal liberty, and equality guaranteed under Articles 14, 15, and 21 of the Indian Constitution. While Karnataka has made progress through awareness programs, community level interventions, and welfare schemes, challenges remain in effective implementation, reporting, and social sensitization. Strengthening enforcement mechanisms, ensuring access to justice, and promoting a rights based approach are essential to protecting women and children from violence and securing their fundamental human rights in the state.

Data Analysis and Interpretation

Between 2020 and 2024, Karnataka has seen a steady rise in reported cases of sexual violence and crimes against children. Data presented by the state government shows that POCSO cases increased each year from 2,165 in 2020 to 4,019 in 2024, making 2024 the highest in that four-year span. This reflects not only continuing violence against minors but also possibly greater awareness and reporting of such crimes. Meanwhile, rape cases in the state increased by more than 50 % over the same period, rising from 497 in 2020 to 736 in 2024, indicating a concerning upward trend in the most serious form of sexual violence against women. In addition, sexual harassment

cases rose from 4,547 in 2020 to 6,326 in 2024. Despite this sharp rise in reported cases, the conviction rate for crimes against women including rape, dowry-related deaths, and POCSO cases has declined drastically, dropping from about 3 % in 2020 to just 0.19 % in 2024, pointing to challenges in effective prosecution and justice delivery. For dowry deaths, state data from recent years show hundreds of such fatalities annually: 158 dowry deaths were recorded in 2023 and 112 in 2024. Collectively, these figures highlight both the scale of violence against women and children in Karnataka and systemic issues in translating reporting into justice, emphasizing the ongoing need for stronger, rights based protections and more effective enforcement mechanisms (The Indian Express 2025, March 18)

Table 1: Crime against women (Rape and Dowry death) January to October 2025

Month	Rape Cases	Dowry death Cases
January	65	11
February	77	09
March	96	10
April	79	15
May	92	03
June	78	07
July	69	12
August	82	10
September	76	06
October	50	13
Total	764	96

Source: Karnataka State Police statistics report, January to October 2025

The data on crime against women from January to October 2025 shows noticeable fluctuations in both rape and dowry death cases, indicating that women continue to face serious threats throughout the year. Rape cases peak in March with 96 incidents and gradually decline toward October, which records the lowest number at 50, suggesting possible shifts in reporting, policing, or social conditions. Dowry death cases, though lower in number compared to rape cases. The rise in dowry deaths again in October (13 cases) indicates persistent domestic tensions and dowry related conflicts. Overall, the data highlights that violence against women does not follow a fixed pattern but is influenced by complex social, economic, and cultural factors, emphasizing the need for continuous monitoring, stronger enforcement of laws..

Table 2: Protection Children from sexual Offence at (POCSO)

Month	POCSO Cases
January	304
February	264
March	332
April	309
May	344
June	309
July	337
August	332
September	338
October	320
Total	3189

Source: Karnataka State Police statistics report, January to October, 2025

The data on POSCSO cases from January to October shows consistently high levels of sexual offences against children, highlighting a serious and ongoing concern. The number of cases fluctuates moderately each month, with the highest recorded in January (304 cases) and the lowest in February (264 cases), suggesting variations in reporting, awareness, or incident occurrence. Most months show case numbers above 300, indicating that child sexual offences are widespread and persist throughout the year. The steady rise from February to May, followed by stable figures in the later months, reflects that these crimes do not follow a strict seasonal pattern but remain a continuous threat to children. Overall, the data emphasizes the urgent need for stronger protection mechanisms, increased awareness, strict enforcement of POCSO laws, and effective child safety measures to prevent such offences.

Suggestions / Recommendations

1. Strengthen Legal Enforcement

- Ensure strict and timely implementation of laws such as the Protection of Women from Domestic Violence Act (PWDVA, 2005), POCSO Act (2012), and relevant sections of the IPC.
- Fast track investigation and prosecution of cases to reduce delays in justice.
- Increase training for police and judicial officers on handling sensitive cases involving women and children.

2. Increase Awareness and Education

- Conduct awareness campaigns in schools, colleges, and communities about child rights, gender equality, and legal protections.
- Promote education on women's and children's rights to prevent exploitation and abuse.
- Engage media to highlight the consequences of crimes against women and children.

3. Strengthen Support Systems for Victims

- Establish and improve help lines, counseling services, and crisis centers for women and children.
- Ensure safe shelters and rehabilitation facilities for survivors of violence.
- Provide legal aid and psychological support to encourage reporting and reduce trauma.

4. Community and Family Engagement

- Encourage community vigilance and participation to prevent domestic violence, dowry related conflicts, and child abuse.
- Organize workshops for parents and families to discourage dowry practices and promote child safety.
- Foster social campaigns against gender discrimination and harmful cultural practices.

5. Data Monitoring and Research

- Maintain accurate and updated crime records to identify patterns and hotspots for targeted interventions.
- Conduct regular research studies to evaluate the effectiveness of laws, policies, and awareness programs.
- Use data to develop preventive strategies, focusing on high risk months and regions.

6. Multi Sectoral Approach

- Promote coordination among law enforcement, child protection services, NGOs, health services, and educational institutions.
- Integrate rights based approaches into all programs addressing women and children.
- Encourage government and non-government initiatives to work together for holistic protection and prevention.

Conclusion

The examination of crime statistics from Karnataka unequivocally illustrates that violence directed towards women and children continues to be a significant and entrenched human rights issue. Monthly data trends for 2025 indicate that crimes such as rape and dowry deaths vary throughout the year, rather than adhering to a consistent pattern, which suggests the impact of intricate social, economic, and cultural dynamics. Although a decrease in reported rape incidents by October might imply enhanced interventions or variations

in reporting practices, the persistent incidence of dowry deaths, including a resurgence in subsequent months, highlights the ongoing reality of domestic violence and dowry-related subjugation. Likewise, the persistently elevated number of POCSO cases emphasizes the concerning susceptibility of children to sexual exploitation and the inadequacy of current protective measures to effectively shield them. The extensive data collected from 2020 to 2024 reinforces this apprehension, revealing a persistent increase in the reported cases of rape, sexual harassment, and POCSO incidents across the state. Although the rise in reporting may partially indicate a growing consciousness and readiness to seek justice, the simultaneous and significant reduction in conviction rates highlights profound flaws in the investigation, prosecution, and judicial processes. This disconnects between the reporting of crimes and the delivery of justice undermines public trust in the legal system and lessens the deterrent effect of laws intended to protect women and children. Overall, the findings illustrate that legislative frameworks are inadequate without effective implementation. There is an urgent requirement for a comprehensive, rights based approach that enhances accountability in law enforcement, improves services for victims, accelerates judicial processes, and encourages sustained social awareness. Only through coordinated institutional efforts and societal change can Karnataka

advance towards ensuring the genuine protection of the human rights of women and children and reducing the frequency of such crimes.

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