

Kathmandu School of Law Review

ISSN 2091-2110
Human Rights and Democratisation

Volume 3

Special Issue

May 2013

FOREWORD BY EDITOR-IN-CHIEF

Ravi Prakash Vyas

FEATURE ARTICLE

BREAKING THE GENERATION THEORY OF HUMAN RIGHTS

Prof. Geeta Pathak

ARTICLES

Gender, Culture and Human Rights: The Tensions and Possibilities of Resolving Them

Tracie Lea Scott

Defining and Achieving Freedom from Hunger: A Rights-Based Approach

Saurav Ghimire

Economic, Social and Cultural Rights in the Transition- al Justice Remit

Shreejana Pokhrel

The Sisyphus Trap: The Committee on the Elimination of All Forms of Discrimination against Women on Eliminating Gender Stereotypes in South Asia

Hasini Rathnamalala

Special Procedures of the UN Human Rights Council and Protection and Promotion of the Human Rights: Fact or Myth

Bineet Kedia

Historical Account of Democratization and Constitutional Changes in Fiji

Ilana Harriet Burness

Human Rights and Financial Institutions: Pinning the Responsibility

Nidhi Modani

International Humanitarian Law in India: A Critical Case Study

Anita Yadav & Amit Yadav

The Protection of National Minorities within the Council of Europe: An Analytical Review

Jabbar Aslan & Khabbat Aslani

'From the Frying Pan into the Fire', IDPS in a State of Emergency: Sri Lankan Context

Mahesha Jayawardana

Rights Protection Regime for Internally Displaced Women and Children: Towards the Formation of A Metaframework

Rathin Bandyopadhyay & Chandrani Das

The Transfer of Asylum Seekers in Australia to Third Countries: A Case Study of Sovereignty versus International Law

Hugh S. Tuckfield

NOTES

A Critical Analysis of Right to Life and Judicial Intervention in South Asian Countries

Prakash K.C.

Corporate Social Responsibility (CSR): An Accommodating Tool for Business Enterprises to Respect Human Rights

Amarjibi Ghimire

BOOK REVIEWS

Human Rights Law and the Marginalized Other

Petra Gimbad

International Watercourses Law and A Perspective on Nepal - India Cooperation

Yubaraj Sangroula



Kathmandu School of Law (KSL)

Dadhikot-9, Bhaktapur, Nepal, Ph: 6634455, 6634663,

Email: info@ksL.edu.np, www.ksL.edu.np

The Sisyphus Trap: The Committee on the Elimination of All Forms of Discrimination against Women on Eliminating Gender Stereotypes in South Asia

Hasini Rathnamalala¹

One of the main obstructions in the progressive realisation of women's international human rights is the societal norms on gender. Gender stereotypes affect the lives of women from the day they are born. This paper elucidates on how gender stereotypes have put women in disadvantageous position. The paper also examines the interpretation of gender stereotypes by the Committee on the Elimination of all forms of Discrimination against Women in selected South Asian countries. In addition, the Committee's approach to eliminate gender stereotypes in its respective domains, particularly in its concluding observations on the selected countries and in its General Recommendations are also discussed.

Introduction

'The Committee considers that widespread poverty, such social practices as the caste system and son preference, as reflected in a high incidence of violence against women, significant gender disparities and an adverse sex ratio, present major obstacles to the implementation of the Convention.' - Committee on the Elimination of Discrimination Against Women (hereinafter the committee), Concluding Observations: India (2000)

As the guardian of women's international human rights, the Committee is the main international body to recommend and monitor the states implementation of the Convention against all forms of Discrimination against Women (hereinafter CEDAW)². One of the main obstructions in the progressive

¹ L.LB. (Hon.), L.LM. (Colombo-Sri Lanka), L.LM.(Minnesota-USA),Lecturer in Law, General Sir John Kotelawala Defence University, Sri Lanka.

Author thanks Prof. Marsha Freeman, University of Minnesota Law School.

² Convention on Elimination of Discrimination against Women (entered into force 3 September 1981) 1249 UNTS 13 (CEDAW), 34 UN GAOR Supp No. 46 193; UN Doc A/34/46 (CEDAW or the Convention).

realisation of women's international human rights is the societal norms on gender. Not only do they hinder the progressive realisation of women's human rights, but also negatively affect many facets of women's lives. 'A stereotype is a generalized view or preconception of attributes or characteristics possessed by, or the roles that are or should be performed by members of a particular group (e.g. women, lesbians, adolescents).'³

Gender stereotypes affect all the genders, but in comparison to women, one could argue that it does not negatively affect their male counterparts. Gender stereotypes have a strong connection with cultural and societal norms that have been deeply built into society for a long time. Prejudices about women's inferiority and their stereotyped roles generate disrespect and devaluation of women in all sects of society.⁴ After continuing for generations, certain stereotypes are established in the society as social norms and in this stage, it becomes a herculean task to fully eliminate them. It becomes a Sisyphus Trap for the organizations like the Committee to eliminate such stereotypes, because women themselves see and look at themselves through the stereo typical lenses made by the culture.

Gender stereotypes mostly affect women in a negative way in their day to day as well as their professional lives. One way of describing it is putting women in particular models to determine what they can and cannot do or what they should or should not do. Simply, if a woman omits the particular model made by the culture, she is treated negatively, and it is considered that she does not adhere to social norms and goes out of the 'comfort zone' made by the culture. This way that particular woman is being judged by the society, which affects her in a disadvantageous way.

Once a human being is born as a man or a woman, the culture predetermines his/her model. If it is a woman, most of the South Asian societies expect a passive, subordinate role to be played by her in comparison to a man born at the same time in the same culture.⁵ Sometimes even before the birth, parents determine gender roles by selecting pink for girls and blue for boys. At first sight, it is viewed as an innocent act of parents, but the underlined rationale behind this concept is masculinity and femininity division constructed by the

³ Sophia R. Moreau, 'The Wrongs of unequal Treatment' (2004) 54 *University of Toronto LawJournal*, 291-326 in Rebecca J Cook & Simone Cusack, *Transnational legal perspective* (University of Pennsylvania Press 2009).

⁴ Ibid.

⁵ This phenomenon is common to many South Asian countries. But it should be noted, that it depends on the society women live as well. Most of the times, women who are in modernized and economically developed societies are less affected than the women who are in the rural and under-developed societies in the same country.

society. With or without knowing, people become a part and parcel to the aforesaid models, thereby helping these models to sustain in the society. Secondly, when children are born, they are provided different atmospheres to develop in their early childhood based on the gender stereo types, for example- people provide dolls to female children and cars to male children.

The turning point of this division comes with the introduction of education. Two stereotypes are prevalent: girls are not as good as boys in math and scientific work is better suited to boys and men.⁶ In most countries, education sector is 'gendered' in a way to make a detrimental effect on women. The education sector is divided in 2 divisions- courses suited for male and courses suited for females. This represents not just the construction of the culture, but also the consequences thereof, as illustrative in its affect on the behavior of women who then are discouraged to attend science and math courses thinking that these courses are considered for male.

A large body of experimental research has found that negative stereotypes affect women's and girls' performance and aspirations in math and science through a phenomenon called 'stereotype threat.' Even female students who strongly identify with math, who think that they are good at math and being good in math is important to them, are susceptible to this effect.⁷

This stereotype shapes the future division of the job market for men and women. Then it works as a vicious circle. The job market is the climax of the course and the colour division.

In the job market, professions are divided into two sects as well: male professions and female professions. '[p]eople often hold negative opinions of women in "masculine" positions, like scientists or engineers.'⁸ Even though a woman is clearly competent in a masculine job, she is less likable⁹. Because both likability and competence are needed for success in the workplace, women in STEM fields can find themselves in a double bind.¹⁰ In light of the aforementioned facts, it is clear that gender stereotypes play a negative role in many facets of women's lives. Aggressive, competitive, directive and tough are the attributes desirable in a manager, but such are usually not expected in a

⁶ Catherine Hill, Christianne Corbett & Andresse St. Rose, *Why so few? Women in Science Technology, Engineering and Mathematic* (American Association of University Women University of Pennsylvania Press 2010) 51-57.

⁷ Ibid 55.

⁸ Cook (n 3).

⁹ Ibid.

¹⁰ Ibid.

women.¹¹ In addition to the abovementioned examples of education and profession, stereotypes negatively affect the personal lives of women as well

To understand this phenomenon better, it is necessary to examine the origin of stereotypes. On one hand, it is a continuation of women's subordinate roles for centuries in particular societies, resulted by women's continuous legal subordination to men. Customary or religious laws could also be discriminative among men and women. However, in this case, whatever the current law is, it is very difficult to achieve *de facto* equality as long as the society is gender biased and stereotyped.

On the other hand, even if some customary laws are non-discriminative, the society itself might be gender biased. For example, *Kandyan* law¹² of Sri Lanka has many aspects of protecting equality among men and women in many facets such as inheritance, marriage and child custody. But it does not necessarily mean that the people, who follow *Kandyan* law, are not affected by gender stereotyped. This assertion makes the conclusion that gender stereotypes are subjective to individuals as well as to cultures. Stereotypes are invoked for complex, varied and, sometimes, contractor reasons.¹³ However, it harms women regardless of the region or culture.

Committee on the Elimination of All Forms of Discrimination Against Women

Language of the Convention

CEDAW successfully covers many facets of women's lives, from family to education and employment which are provided not only by the governments but also by the non-state actors.¹⁴ It is appreciative that the Convention has recognized that stereotypes hinder women's full enjoyment of human rights. Initiating with the preamble of the Convention, it specifically recognizes the possible discrimination against women because of their biological recognition and reproductive role.¹⁵

CEDAW reflects awareness that a change in the traditional role of men as well as the role of women in society and in the family is needed to achieve full

¹¹ Moreau (n 3).

¹² A form of customary law.

¹³ Ibid 13.

¹⁴ *CEDAW* (n 2) art 2(e).

¹⁵ 'social significance of maternity and the role of both parents in the family and in the upbringing of children, and aware that the role of women in procreation should not be a basis for discrimination but that the upbringing of children requires a sharing of responsibility between men and women and society as a whole'. See also articles 4(2) and 5.

equality between men and women.¹⁶ Gender biasness significantly recognized by CEDAW in article 5.

It calls on the states parties to take all appropriate measures: (a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women; (b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.¹⁷

Also, the most significant approach by the Women's Committee is that it encourages the state parties to eradicate stereo types through education. It calls on the parties to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:¹⁸ (c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programs and the adaptation of teaching methods...¹⁹

It is obvious that the language of the convention deeply focuses on elimination of gender stereotypes for the full enjoyment of human rights by women. The significant factor is that CEDAW intends to eliminate gender stereotypes through education. On one hand, it can be argued that education is the only way to combat gender stereotypes by make awareness among people. On the other hand, as gender stereotypes are deeply rooted cultural beliefs, it is quite unsure if solely depending on the education and awareness programs, is feasible.

General Recommendations of the Committee on the Elimination of all forms of Discrimination against Women

The Committee has been struggling with the gender stereotypes for decades and makes a special focus on gender stereotypes in its General Recommendations. Firstly, the Committee focused on combating gender stereotypes in its General

¹⁶ Ibid.

¹⁷ Ibid art 5.

¹⁸ CEDAW (n 2) art 10.

¹⁹ Ibid.

Recommendation 23 on Political and Public Life in 1996.²⁰ It is clear that reservations made by the countries for article 7 and 8 of the CEDAW were one of the reasons for the Committee to issue the General Recommendation 23.²¹ Although this recommendation focuses on Political and Public life, it has a common approach on eliminating gender stereotypes. It seems the Committee has long been recognized gender stereotypes hinders women's participation in most of the areas in public life.²² The beauty of the language of this general recommendation is that it directly mentions that there is no democracy in a society in which women's non-participation or non-representation in the political system is completely acceptable.²³

General Recommendations do not extensively focus on gender stereotypes in comparison to Concluding Observations issued by the Committee. It is significant that the Committee has addressed in its Concluding Observations for eliminating or combating stereotypes in all the South Asian countries. Most probably, the Committee has identified it as the main obstacle in this region for women to fully achieve and enjoy human rights. One of the main features in this region's women's human rights is that it has *de jure* equality in most of the instances. But when it comes to the *de facto* equality, gender stereotypes intervene and hinder women's fully enjoyment of human rights. As stereotypes are deeply rooted cultural phenomenon in this context, it is a herculean task to fully eliminate.

Concluding Observations of the Committee on the Elimination of all forms of Discrimination against Women

“Concluding Observations” issued by the Committee have a common aspect from a south Asian perspective. The Committee has recommended the governments to take measures to change the cultural attitudes of people

²⁰ ‘States parties should explain the reason for, and effect of, any reservations to articles 7 or 8 and indicate where the reservations reflect traditional, customary or stereotyped attitudes towards women's roles in society, as well as the steps being taken by the States parties to change those attitudes.’ States Committee on the Elimination of Discrimination against Women, General Recommendation 23, Political and Public Life U.N. Doc. A/52/38/Rev.1 at 61 (1997), U.N. Doc. HRI/GEN/1/Rev.6 (2003) para 8.

²¹ General Recommendation No. 23 (16th session, 1997) in <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm#recom23> accessed December 2012.

²² In all nations, the most significant factors inhibiting women's ability to participate in public life have been the cultural framework of values and religious beliefs, the lack of services and men's failure to share the tasks associated with the organization of the household and with the care and raising the children. In all nations, cultural traditions and religious beliefs have played a part in confining women to the private spheres of activity and excluding them from active participation in public life. Ibid.

²³ Societies in which women are excluded from public life and decision-making cannot be described as democratic. Ibid.

towards women in South Asian countries. This part of the paper will focus on the Concluding Observations and Recommendations issued by the Committee on seven South Asian Countries, namely Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka.

Concluding Observations issued by the Committee on Bangladesh both in 1993 and 1997 discussed the prevailing gender stereotypes in the country.²⁴ In 2004, even after 10 years, the Committee was still commenting on the same issue. 'The Committee has expressed concern that traditional and cultural discriminatory practices, including polygamy, and strong stereotypical attitudes persist with respect to the roles and responsibilities of women in the family and society, negatively affecting women's enjoyment of their rights and impeding the full implementation of the Convention.'²⁵ It also calls on the state parties to take measures towards changing social, cultural and traditional attitudes that remain permissive of violence against women.²⁶ The frequent concluding observations shows that the Committee is attempting to eliminate gender stereotypes.

The aforesaid approach was common to the Committee's Concluding Recommendations on Bhutan in 2004 and 2009 as evidenced in the 2009 Concluding Recommendations. Under a separate theme 'Stereotypes and cultural practices' the Committee has highlighted its concerns.²⁷ While welcoming the efforts undertaken by the State party to address stereotypes and negative cultural practices, including the publication of the ethical guidelines aimed at the media for reflecting an objective image of women, the Committee remains concerned that women are still facing various forms of discrimination both in the family and in public life, which perpetuate sex-specific roles and responsibilities."²⁸ It is not significantly different in the Committee's

²⁴ 'The need to reduce gender disparities had been stressed, and the implementation of projects concerning women had been outlined. The Committee noted that some problems being faced by women in Bangladesh were based on personal laws, which included religious and customary practices. Committee on the Elimination of Discrimination Against Women, Concluding Observations: Bangladesh UN Doc A/48/38 (1993) paras 248-326.

'Progress in the removal of disparities was slow since women were subject to discrimination both in cultural practice and in personal law.' Committee on the Elimination of Discrimination Against Women, Concluding Observations: Bangladesh UN Doc. A/52/38/Rev.1, Part II (1997) paras 409-464.

²⁵ Ibid.

²⁶ Ibid.

²⁷ Committee on the Elimination of Discrimination against Women, Concluding observations of the Committee on the Elimination of Discrimination against Women: Bhutan U.N Doc. CEDAW/C/BTN/CO/7 (2009).

²⁸ Ibid.

Concluding Observations of India.²⁹ As mentioned above, the Committee expressed its serious concerns about the practice of preference of son.³⁰ Again, the Committee in its Concluding Observations on Maldives in 2001 stressed the necessity of eliminating gender stereotypes.³¹

While the Committee welcomes the efforts made to change stereotypes, including awareness-raising and sensitization activities, and other noteworthy developments, such as the inclusion of a gender equality provision in the national media policy, the Committee is concerned about the subordinate and subservient role women and girls continue to play within the family and the deep-rooted, traditional stereotypical attitudes that persist, and which are reflected particularly in women's professional and educational opportunities and choices and their participation in public and political life.³²

The Committee has been focused on the same issue again in 2004.³³

On one hand, one could argue that stereotypes are common to a country or few countries which are closer to each other. In south Asia, such stereotypes are regional. It signifies in the Concluding Observations issued on Pakistan.³⁴ Most significantly, the Committee's concluding Observations focus on eliminating gender stereotypes in Sri Lanka.

²⁹ The Committee urges the State party to review its reservations to articles 5 (a) and 16 (1) with a view to withdrawing them, to proactively initiate and encourage debate within the relevant communities on gender equality and the human rights of women and, in particular, work with and support women's groups as members of these communities so as to (a) modify social and cultural patterns of conduct to achieve elimination of prejudices and practices based on stereotyped roles for men and women... Committee on the Elimination of Discrimination against Women, Concluding Observations of the Committee on the Elimination of Discrimination against Women: India U.N. Doc. CEDAW/C/IND/CO/3 (2007) paras 1-68.

³⁰ Committee on the Elimination of Discrimination Against Women, Concluding Observations: India UN Doc CEDAW A/55/38 (2000) paras 30-90.

³¹ Committee on the Elimination of Discrimination Against Women, Concluding Observations: Maldives UN Doc CEDAW A/56/38 (2001) paras 114-146.

³² Concluding Observations of the Committee on the Elimination of Discrimination against Women: Maldives UN Doc. CEDAW/C/MDV/CO/3 (2007) paras 1-43.

³³ The Committee is concerned at the persistence of discriminatory cultural practices and stereotypes relating to the roles and responsibilities of women and men in all areas of life, and by deep-rooted patriarchal attitudes and conduct based on the assumed superiority of men in the public and private spheres and the strong perception that women are weak and vulnerable, which undermine women's social status and are an obstacle to the implementation of the Convention. Concluding Observations of the Committee on the Elimination of Discrimination Against Women, Nepal UN Doc A/59/38 (2004) paras 189-225.

³⁴ Committee on the Elimination of Discrimination against Women, Concluding comments of the Committee on the Elimination of Discrimination against Women: Pakistan U.N. Doc. C/PAK/CO/3 (2007) paras 1-53.

The Committee asked a series of questions on that topic: What had been the results of the Women's Bureau's survey on the changing attitudes and perspectives of women? Had men been studied it too? Did the Government see progress on the basis of that study in bringing about more equal roles and tasks in all areas of life? What has been the role of education in perpetuating as well as eliminating gender stereotypes?³⁵

All the above-mentioned Concluding Observations on the selected countries in the South Asia focus on eliminating gender stereotypes. The Committee seemed to have made attempt to address this issue.

In addition to that, the Committee also recommends those countries to initiate awareness raising programs to eliminate gender stereotypes. The Committee provides the aforesaid solutions not just to a specific country but the common the South Asian countries in general, in its Concluding Observations.³⁶ From 1999 to 2009, there were significant Concluding Observations issued by the Committee on South Asia. Starting as regards Nepal in which 'the Committee also recommend[ed] that the Government take concrete measures to increase the number of women in higher education, in particular in non-traditional fields.'³⁷ It recommended that school curricula and textbooks be reviewed in order to eliminate gender stereotypes.³⁸ 10 years later, the Committee made the

³⁵ Committee on the Elimination of Discrimination against Women, Concluding comments of the Committee on the Elimination of Discrimination against Women: Sri Lanka UN Doc A/47/38 (1992) paras 374-413.

³⁶ It also recommends that information on the content of the Convention be disseminated in the educational system, including in the rural (atoll) areas, that school textbooks and teaching materials be reviewed and revised and that human rights education have a gender perspective, with a view to changing existing stereotypical views on and attitudes towards women's and men's roles in the family and society and creating an environment that is supportive of the practical realization of the principle of equality of women and men. It recommends that the media continue to be encouraged to project positive images of women and of the equal status and responsibilities of women and men in the private and public spheres. Concluding comments of the Committee on the Elimination of Discrimination against Women: Maldives, UN Doc CEDAW/C/MDV/CO/3 (2007) paras 1-43.

The Committee calls on the State party to allocate more financial and human resources to the education sector, to recruit more women teachers and to ensure that school textbooks do not carry stereotyped images of women. **Concluding Observations of the Committee on the Elimination of Discrimination Against Women, Nepal, U.N. Doc. A/59/38, 2004, paras 189-225.** The Committee commends the educational achievements and improved literacy rate of women, as well as the curriculum reforms and teacher training programmes to eliminate gender role stereotypes. Committee on the Elimination of Discrimination Against Women, Concluding Observations: Sri Lanka UN Doc CEDAW A/57/38 (2002) paras 256-302.

³⁷ Committee on the Elimination of Discrimination Against Women, Concluding Observations: Nepal UN Doc A/54/38/Rev.1 (1999) paras. 117-160.

³⁸ Ibid.

same recommendation to Bhutan.³⁹ In its Concluding Observations on Pakistan, the Committee focused on the stereotypical gender roles created by the non-state actors, especially when the Religion creates gender stereotypes.⁴⁰ It is clear that the Committee has been consistently recommending South Asian countries to eliminate gender stereotypes that bar women fully.

The Committee suggested that these countries should address this serious issue through the education programs. On one hand, addressing this problem through education can be recognized as a long term solution. On the other hand, there are feasibility issues in such processes because, as the Committee itself mentions, gender stereotypes are “deeply rooted” cultural attitudes. Even if the governments start teaching and make awareness, it will take decades and centuries to change the attitudes of the people. The psychological nature of the stereotypes becomes a great obstacle to address.

To establish this argument, a research done in the Law Faculty of the University of Colombo, Sri Lanka is used in this part of the research paper. It is a sample survey and a research paper conducted in Sri Lanka’s prominent Law School to evaluate undergraduate’s perceptions on the legal education and legal profession.⁴¹ Women in Sri Lanka already have access to higher education and employment in this sector even prior to the ratification of CEDAW by the State in 1980 and there have been commendable improvements in the lives of women in these areas since then.⁴² Also, the ‘Perceiving Perceptions’ paper emphasizes the historical gender imbalance in the legal profession of Sri Lanka.⁴³ As discussed above in this paper, gender stereotypes are mostly a result of historical discrimination on women.

³⁹ “In line with its previous recommendations (A/59/38), the Committee urges the State party to analyse existing traditions and stereotyped views in order to assess their impact on the achievement of gender equality. It recommends that policies be developed and programmes be directed at men and women to support the elimination of stereotypes associated with traditional roles in the family, the workplace and society at large, and to prevent the emergence of new stereotypes that are discriminatory against women. It also recommends that the media be encouraged to project a positive image of women and the equal status and responsibilities of women and men both in the public and private spheres.” Committee on the Elimination of Discrimination against Women Concluding observations of the Committee on the Elimination of Discrimination against Women: Bhutan UN Doc CEDAW/C/BTN/CO/7 (2009) paras 1-44.

⁴⁰ The Committee (n 31).

⁴¹ Mendis, Samararatne-Watson, Dawood & Rathnamalala; *Perceiving Perceptions: A Study on the Perceptions of Undergraduates in Law on the Relevance of Gender on Roles in Legal Education and within the Legal Profession* (Centre for the Women’s Research 2007)

⁴² CEDAW (n 2).

⁴³ ‘The legal profession consisted entirely of males until the Sex Disqualification Removal (Legal Profession) Ordinance (No. 25) 1933, was passed on the 14th of November of that year. Sex Disqualification Removal (Legal Profession) Ordinance (No. 25) 1933 3 Legal Enactments 116.

This survey was carried out to determine many factors but in this context, influence of legal education on perceptions on gender⁴⁴ is to be considered. The main reason for focusing on the abovementioned criterion is that the Committee's concluding observations were mainly based on eliminating gender stereotypes through education. The legal education contributes to change the deeply-rooted negative attitudes and stereotypes. As future lawyers, the law students will be the most influential professionals both in promoting *de jure* and *de facto equality*. In this sense, it has been focused on the survey results. It is welcoming to note that 44% of the students surveyed were of the view that their education at the Faculty has had a positive contribution to their perceptions on gender equality." On the other hand, there are more or less equal numbers of students who say that (31%) they were not influenced by the legal education on gender equality. The 'Perceiving Perceptions' paper extensively discusses the other contributory factors such as low rate of student union membership⁴⁵ of female students proportionate to the high number of female student ratio to establish the inhibition of women students to come forward and take the leadership.

In light of the survey results, it can be concluded that the Committee's common recommendation to eliminate gender stereotypes by education is not a complete solution. Until the younger generation understands the nature and the consequences of the gender stereotypes, women's full enjoyment of human rights is a herculean task.

Conclusion

It is clear that the committee tries to overcome the barriers to eliminate the inequality and eradicate deeply rooted gender stereotypes by recommending enhancement of knowledge through education. CEDAW mentions in its language and in its respective domains that gender stereotypes inhibit women from fully enjoying the human rights. Stereotype directly impacts all the other areas and facets of women's lives, and it clearly hinders the objectives of the CEDAW. In this sense, the Committee has to focus on combatting gender stereotypes while also working in other spheres, since stereotypes are always a contributory factor hindering the successful implementation of the Convention.

As mentioned in the Concluding Observations issued by the Committee, gender stereotypes hinder women's full enjoyment of human rights. It is not

⁴⁴ Ibid 13.

⁴⁵ Ibid.

limited to equality in employment or equal rights in reproduction rather negatively impact all aspects of women's lives.

South Asia is a region where most of the countries have considerably better number of literacy rate both among men and women. The Committee seemed to have considered this fact, as it has recommended these countries to eliminate stereotypes by education. Finally, it is clear that the Committee is double burdened in its efforts to protect and promote women's human rights in South Asia. On one hand, the Committee has to oversee and monitor the women's human rights violations and empower women to face challenges through a constructive dialogue with respective governments. At the same time, the Committee has to play a key role by recommending governments to take measures to eliminate gender stereotypes. The most difficult task is to balance both the aspects to protect women's human rights in South Asia.
