
AN EMPIRICAL STUDY ON THE IMPACT OF INTERNATIONAL TREATY RATIFICATION ON DOMESTIC LEGAL REFORMS: A CASE STUDY OF INDIA'S COMPLIANCE WITH CEDAW

Sasirekha. K, The Tamil Nadu Dr. Ambedkar Law University

Varun Sriram. S, The Tamil Nadu Dr. Ambedkar Law University

ABSTRACT

This research paper explores the impact of international treaty ratification on domestic legal reforms, with a specific focus on India's compliance with the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The study adopts an empirical approach, utilizing surveys conducted among female lawyers, government employees, and key stakeholders to gather insights into the practical effects of CEDAW on India's legal framework and its enforcement mechanisms. Through this empirical analysis, the paper investigates the extent to which CEDAW's ratification has influenced the development and implementation of gender equality laws in India. The findings suggest that while India has made significant strides in reforming its legal structure, challenges remain in the areas of enforcement, cultural resistance, and societal attitudes that continue to impede the full realization of gender equality. The paper also highlights the gaps in policy and practice, emphasizing the need for stronger institutional frameworks, greater political will, and effective monitoring mechanisms to ensure that CEDAW's provisions translate into tangible improvements in the lives of women. By presenting the perspectives of legal professionals, government employees, and other stakeholders, this study adds to the understanding of how international human rights norms influence domestic legal practices and the challenges of integrating these standards within a country's legal system. Furthermore, the research contributes to the broader discourse on socio-legal studies by providing an empirical evaluation of India's engagement with international gender equality frameworks and offering policy recommendations aimed at bridging the gaps between international obligations and national realities. The findings underscore the importance of not only adopting international treaties but also ensuring their effective implementation at the grassroots level for sustainable change. The paper concludes by suggesting areas for future research, including the need for further empirical studies on the intersection of

international treaties and domestic law, and a deeper examination of the sector-specific impacts of CEDAW in India.

CHAP 1- INTRODUCTION

1.1. Introduction:

International treaties such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) are¹ significant tools that establish global human² rights standards and create obligations for countries that ratify them. These treaties act as a framework, encouraging nations to adopt measures that protect and promote the rights of women³. By ratifying CEDAW, a country agrees to incorporate the principle of equality between men and women into its legal system, abolish discriminatory laws, and establish institutions to ensure the effective protection of women against discrimination⁴. The study of CEDAW's influence is vital for understanding India's legal and policy shifts because it highlights how international human rights law impacts domestic reforms, particularly in the context of gender equality. India signed CEDAW in 1980 and ratified it in 1993 with certain reservations. Examining the changes in Indian laws and policies since ratification allows us to assess the extent to which India has aligned its domestic framework with the international standards set by CEDAW. This study is also crucial for identifying the gaps between India's international commitments and the actual implementation of gender equality on the ground. While India has made progress in enacting laws addressing issues like domestic violence and sexual harassment at the workplace, challenges such as deeply rooted patriarchal attitudes and discriminatory social practices persist⁵. Understanding the interplay between international obligations and domestic realities is essential for formulating effective strategies to further advance gender equality in India. The

1 Kowalczevska, Kaja, and Barbara Pauli. "Comments on the Judgment of the International Court of Justice of 31 January 2024, Case No. 166. Application of the International Convention for the Suppression of the Financing of Terrorism and the International Convention on the Elimination of All For." *Polish Review of International and European Law*, vol. 13, no. 2, Feb. 2025. DOI.org (Crossref), <https://doi.org/10.21697/2024.13.2.08>.

2 Schuler, Margaret A., et al., editors. *Women's Human Rights: Step by Step ; a Practical Guide to Using International Human Rights Law and Mechanisms to Defend Women's Human Rights*. Women, Law & Development International, 1997.

3 Vereinte Nationen, editor. *The Convention on the Elimination of All Forms of Discrimination against Women - the Optional Protocol: Text and Materials*. United Nations, 2000.

4 *Human Rights and Desertification: Exploring the Complementarity of International Human Rights Law and the United Nations Convention to Combat Desertification*. Secretariat of the United Nations Convention to Combat Desertification, 2008.

5 Ations and Cambo Kirby, Michael. "Human Rights, the United Ndia." *The Australian Quarterly*, vol. 67, no. 4, 1995, p. 26. DOI.org (Crossref), <https://doi.org/10.2307/20634703>.

study can also shed light on the role of civil society organizations and the CEDAW Committee in monitoring India's progress and advocating for stronger implementation of the Convention.

1.2 Research Problem:

International Convention and treaties play a crucial role in aligning domestic laws with international obligations. However, a significant research problem arises from the lack of judicial interpretation of these treaties, which hinders the effective implementation and enforcement of international obligations within domestic legal systems. Additionally, the continuous evolution of legal and constitutional frameworks presents challenges in adopting and integrating new variations introduced by international treaties. Especially in the case of CEDAW, Ratification of CEDAW has prompted India to enact or amend laws addressing gender equality, such as the Protection of Women from Domestic Violence Act, 2005, and amendments to inheritance laws ensuring equal property rights for women. While CEDAW pushes for structural changes, social norms and patriarchal practices have been slower to adapt, creating friction. However, over time, cultural attitudes towards gender equality have begun shifting in progressive sections of society. Legal reforms inspired by CEDAW have provided a platform for empowering women from marginalized communities, helping them access education, employment, and protection from violence. Many people, particularly in rural areas, remain unaware of CEDAW-related laws, limiting their practical impact. Despite legal frameworks, enforcement mechanisms remain weak due to inadequate resources, lack of political will, and deeply entrenched societal norms.

1.3 Objectives of the Study:

- To analyse India's legal reforms following the ratification of CEDAW.
- To evaluate the challenges in enforcing compliance at the national level.
- To assess the broader socio-legal impact on gender equality.

1.4 Research Questions

- How has India's ratification of CEDAW influenced its domestic legal framework?
- What socio-legal challenges affect the implementation of these reforms?

- Has CEDAW impacted gender-related indicators in India?

1.5 Methodology Overview/Research Methodology:

Empirical Approach:

Conducted qualitative interviews with key stakeholders, such as policymakers, legal experts, social activists, and affected groups. Used surveys to gather data on public awareness and perception of gender-related legal reforms post-CEDAW ratification.

Quantitative Analysis:

Analysed statistical data on gender equality indicators (e.g., literacy rates, workforce participation, crime rates) before and after ratification. Evaluate the legislative changes in India with a timeline of major amendments to relevant laws.

Comparative Study:

Compare India's compliance and implementation with other countries that have ratified CEDAW, identifying best practices and unique challenges.

1.6. Limitations: Specify the focus on legal, social, and policy aspects while outlining constraints. The research is analysed by focusing on a limited group of female lawyers and stakeholders which may limit the generalizability of the findings to a broader population. This acknowledges the constraints imposed by focusing on a particular group of people while highlighting the impact on the broader applicability of the research results.

1.7. Hypothesis:

Ratification of CEDAW has led to significant legislative and policy reforms in India; however, socio-legal challenges hinder its full implementation and effectiveness.

1.8. Gaps in Existing Research

International treaties play a crucial role in aligning domestic laws with international obligations. However, a significant research problem arises from the lack of judicial interpretation of these treaties, which hinders the effective implementation and enforcement of

international obligations within domestic legal systems. Additionally, the continuous evolution of legal and constitutional frameworks presents challenges in adopting and integrating new variations introduced by international treaties..

1.9. LITERATURE REVIEW:

Ratification, Reservations, and Review: Exploring the Role of the CEDAW Compliance Mechanisms in Women's Rights by Ellinore Ahlgren.

<https://jpia.princeton.edu/news/ratification-reservations-and-review-exploring-role-cedaw-compliance-mechanisms-womens-rights>.

The author examines whether there is a frequent engagement with the Committee on the Elimination of Discrimination Against Women, the body of independent experts monitoring the implementation of the Convention of the Elimination of All Forms of Discrimination Against Women, and whether the body is linked to improved compliance with women's rights commitments. If it further explores the relationship between treaty body interaction and compliance holds for states that have made reservations to articles concerning women's rights. The author also refers various scholars texts, one such is the literature on human rights regimes focuses on the relationship between treaty ratification and human rights outcomes. For instance, Oona Hathaway, one of the most influential international law scholars, explores the effectiveness of human rights treaties in improving outcomes. On average, Hathaway finds that treaty ratification does not lead to better human rights outcomes. Hathaway looks at state ratification of the 1954 Convention on the Political Rights of Women to explore how it affected political equality for women, finding that treaty ratification has no significant effect on political equality for women. Hathaway argues that the lack of compliance mechanisms in human rights law is central to the regime's failure to improve human rights outcomes. However, her research focuses on CEDAW's predecessor and therefore does not consider compliance mechanisms like the report-and-review process.

The Impact of the CEDAW Convention: Paths to Equality by Andrew C. Byrnes and Marsha Freeman.

<https://doi.org/10.2139/ssrn.2011655>

The author provides an overview of the Convention's impact resulting from its use by

Governments and civil society. The paper first provides an overview of the challenges involved in identifying and evaluating the impact of human rights treaties, and sets out the indicators used to evaluate the Convention's impact on domestic law and practice in the States chosen for this analysis. The second section describes the status of Convention and Optional Protocol ratification, patterns of reservations to the Convention and of their withdrawal, and of States parties' discharge of their reporting obligations under the treaty. The third section of the paper is the core examination of the Convention's impact in specific areas of law and practice in twelve States. It argues that there is considerable evidence that the Convention has contributed to increasing women's enjoyment of the right to equality in many countries, but that this impact is variable, and an enormous amount remains to be done before women enjoy full equality with men in all States.

The CEDAW Effect: International Law's Impact on Women's Rights By Neil A. Englehart & Melissa K. Miller.

<https://doi.org/10.1080/14754835.2013.824274>.

The authors in this article confirm CEDAW's positive effects, finding that they are robust but not uniform. They are most pronounced for women's political rights, somewhat less pronounced for women's social rights, and absent for women's economic rights. Several possible counter explanations for CEDAW's effects are tested but garner little support. The authors conclude by offering alternative hypotheses for CEDAW's effects that focus on the internal dynamics ratification may trigger within individual countries.

Gender and democratic citizenship: the impact of CEDAW by Frances Raday.

<https://doi.org/10.1093/icon/mor068>.

In this article, the author states that the substantive equality provisions of CEDAW provide theoretical and normative tools to contend with the growing challenges of traditionalist cultural and religious patriarchy and neoliberal exploitation of women. This holds out promise but a large gap exists between normative policy and social practice. The promise of de jure and de facto equality for women cannot be fulfilled by law and philosophy alone. The necessary formulations and commitments to the goal of substantive equality have been made under the auspices of CEDAW. It remains to translate the formulation and commitment into political,

economic, and social action, which will secure women's capacity to participate as equal actors in the public sphere, to have equal opportunity in the economy, and to live in a state of equal autonomy to that of men in the family. This is the meaning of democratic citizenship for women and it is a condition precedent for a viable democracy for men and women alike.

CHAP - 2 : Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and India's Role in Advancing Gender Equality

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), adopted by the United Nations General Assembly in 1979, stands as a cornerstone of international human rights law dedicated to achieving gender equality. Often described as the "international bill of rights for women," CEDAW defines discrimination against women and sets forth a global agenda for national action to eradicate such discrimination.⁶ India, recognizing the importance of this convention, ratified CEDAW, signifying its commitment to upholding the principles of equality and non-discrimination against women. This commitment underscores the broader significance of international treaties in shaping national legal frameworks and policy initiatives aimed at advancing gender equality. The Universal Declaration of Human Rights (UDHR), adopted in 1948, laid the groundwork for international human rights law, and CEDAW builds upon these foundational principles by specifically addressing the unique forms of discrimination faced by women⁷. By ratifying CEDAW, India, like other signatory nations, undertook a legally binding obligation to align its domestic laws and policies with the international standards outlined in the convention. At its core, CEDAW defines "discrimination against women" as any distinction, exclusion, or restriction made on the basis of sex that has the effect or purpose of impairing or nullifying the recognition, enjoyment, or exercise by women, irrespective of their marital status, of human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field. This definition is notable for its comprehensive scope, encompassing not only direct and intentional discrimination but also indirect discrimination, where seemingly neutral laws or practices disproportionately harm women. Furthermore, CEDAW recognizes that discrimination can occur in both the public and private spheres, obligating states to address discriminatory

6 Freeman, Marsha A., et al., editors. *The UN Convention on the Elimination of All Forms of Discrimination Against Women: A Commentary*. Oxford University Press, 2012.

7 Domínguez-Gil, Beatriz, et al. "Current Situation of Donation after Circulatory Death in European Countries: Donation after Circulatory Death in the Council of Europe." *Transplant International*, vol. 24, no. 7, July 2011, pp. 676–86. DOI.org (Crossref), <https://doi.org/10.1111/j.1432-2277.2011.01257.x>.

practices regardless of where they take place⁸.

The overarching principle underpinning CEDAW is the commitment to equality between men and women. This principle extends beyond mere formal equality, which suggests treating men and women identically, to embrace the concept of substantive equality. Substantive equality acknowledges that historical and systemic disadvantages may require differential treatment to ensure women achieve genuine equality in practice and outcome. To achieve this, CEDAW obligates States parties to take all appropriate measures, including legislative action and temporary special measures such as affirmative action, to promote women's full development and advancement. CEDAW's significance is further elaborated through its key articles, which address various aspects of women's lives. Article 2 lays down the fundamental obligation for States to condemn discrimination against women and to pursue, through all appropriate means and without delay, a policy of eliminating such discrimination. Article 3 commits States to ensuring women's full development and advancement, particularly in the political, social, economic, and cultural fields. Recognizing the need for proactive measures, Article 4 permits the adoption of temporary special measures aimed at accelerating de facto equality between men and women, emphasizing that such measures should not perpetuate unequal standards⁹. Article 5 addresses the crucial role of societal norms and stereotypes, requiring States to take appropriate measures to modify social and cultural patterns of conduct with a view to eliminating prejudices and customary practices based on the idea of the inferiority or superiority of either sex. The Convention also dedicates specific articles to ensuring women's equal participation in public life. Articles 7 and 8 focus on women's rights to participate in political and public life at all levels, including the right to vote, to be eligible for election, to participate in the formulation of government policy, and to represent their governments at the international level. In the realm of education, Article 10 mandates that States ensure women equal rights with men in all aspects of education, working to eliminate stereotypes in curricula and teaching methods. Article 11 addresses discrimination in employment, guaranteeing women the right to work, to equal opportunities, to equal pay for equal work, and to protection from discrimination on the grounds of marriage or maternity. Furthermore, Article 12 requires States to ensure women equal access to healthcare services, including those related to family planning. Article 16 is pivotal as it focuses on eliminating discrimination against women in all

8 Yogi, Belpatra Nath. "Risky Sexual Behaviours of Gender and Sexual Minorities." *Journal of Health Promotion*, vol. 7, Sept. 2019, pp. 19–28. DOI.org (Crossref), <https://doi.org/10.3126/jhp.v7i0.25491>.

9 Kruttschnitt, Candace, et al., editors. *Advancing the Federal Research Agenda on Violence against Women*. National Academies Press, 2004.

matters relating to marriage and family relations, ensuring equal rights upon entering marriage, during marriage, and at its dissolution¹⁰. Other significant articles address nationality (Article 9), economic and social benefits (Article 13), the rights of rural women (Article 14), and equality before the law (Article 15).

Finally, Articles 17 through 30 establish the Committee on the Elimination of Discrimination against Women (CEDAW Committee) and detail the procedures for monitoring the implementation of the Convention, including the reporting obligations of States parties. India's journey toward formalizing its commitment to gender equality through international law saw it sign CEDAW on July 30, 1980, followed by ratification on July 9, 1993. However, upon ratification, India made two declaratory statements and one reservation. The first declaration pertained to Articles 5(a) and 16(1), stating that India would abide by these provisions in conformity with its policy of non-interference in the personal affairs of any community without its initiative and consent¹¹. This declaration reflects a delicate balance between adhering to international norms and respecting the diverse personal laws prevalent across different communities in India. The second declaration concerned Article 16(2) on the compulsory registration of marriages. While expressing support for the principle, India declared its impracticality in a vast and diverse country with varying customs, religions, and literacy levels. The reservation made by India was regarding Article 29, stating that it did not consider itself bound by paragraph 1 of this article, which concerns the submission of disputes regarding the interpretation or application of the Convention to the International Court of Justice. These reservations and declarations, particularly those related to personal laws and family matters, have been subjects of ongoing discussion and, at times, concern within the international community and among women's rights advocates. The argument has been made that reservations to core provisions like Article 2, which outlines measures to eliminate discrimination, and Article 16, which addresses equality in marriage and family relations, can undermine the fundamental object and purpose of the Convention. Notably, some countries have formally objected to India's declarations and reservations, indicating a divergence in

10 Ahmed, Syeda Kashfee, et al. *Gender and Ethnicity in Myanmar Education: Baseline Study Report : For the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) Committee*. 2020.

11 International Academy of Management, Law, Finance and Business (Bishkek, Kyrgyz Republic), and M. M. Muktarbekov. "International Treaties and Their Relationship to Other Sources of Law in the Kyrgyz Republic." *Vestnik Povolzhskogo Instituta Upravleniya*, vol. 23, no. 1, 2023, pp. 13–21. DOI.org (Crossref), <https://doi.org/10.22394/1682-2358-2023-1-13-21>.

interpretation and commitment¹². Furthermore, India has not ratified the Optional Protocol to CEDAW, a separate treaty that allows individuals and groups to submit complaints to the CEDAW Committee for violations of their rights under the Convention, limiting the avenues for international recourse for women in India. This stance on reservations and the Optional Protocol reveals a complex interplay between India's commitment to international human rights standards and its desire to navigate the sensitivities of its diverse socio-cultural landscape and legal traditions. International treaties, including CEDAW, play a pivotal role in shaping national laws and policies by establishing universally recognized human rights standards and creating legal obligations for ratifying states. The United Nations Commission on the Status of Women was instrumental in developing CEDAW as a comprehensive framework dedicated to advancing women's rights globally. By ratifying these treaties, states undertake a legal duty to respect, protect, and fulfill the rights enshrined within them, necessitating the alignment of their national constitutions, domestic legislation, and policy frameworks with international standards. This process often involves the development of new national laws and the amendment of existing ones to ensure greater protection of human rights, guided and inspired by the principles and provisions of international treaties. Examples from various countries demonstrate how international human rights law has directly influenced domestic legislation across a range of issues. Beyond direct legal impact, international treaties also provide a crucial framework for the formulation and implementation of national policies aimed at achieving specific human rights goals, such as gender equality¹³. The principles and guidelines embedded in treaties serve as a roadmap for governments to develop strategies and initiatives that promote and protect human rights within their jurisdictions. Moreover, national courts may sometimes refer to international human rights treaties when interpreting domestic laws, particularly in situations where the national legal framework is ambiguous or where there is a need to ensure alignment with international norms and standards. This interpretive role further strengthens the influence of international law on domestic legal systems. To ensure accountability and encourage compliance, international treaties often establish mechanisms for monitoring their implementation. Treaty bodies, such as the CEDAW Committee, play a vital role in this regard

12 International Academy of Management, Law, Finance and Business (Bishkek, Kyrgyz Republic), and M. M. Muktarbekov. "International Treaties and Their Relationship to Other Sources of Law in the Kyrgyz Republic." *Vestnik Povolzhskogo Instituta Upravleniya*, vol. 23, no. 1, 2023, pp. 13–21. DOI.org (Crossref), <https://doi.org/10.22394/1682-2358-2023-1-13-21>.

13 Khaulasari, Hani, and Yuniar Farida. "Analyzing Factors Contributing to Gender Inequality in Indonesia Using the Spatial Geographically Weighted Logistic Ordinal Regression Model." *International Journal of Computing Science and Applied Mathematics*, vol. 10, no. 2, Oct. 2024, p. 41. DOI.org (Crossref), <https://doi.org/10.12962/j24775401.v10i2.21942>.

by reviewing the reports submitted by States parties on the measures they have taken to implement the treaty provisions¹⁴. These committees issue concluding observations and recommendations, providing guidance to states on areas needing further improvement. Additionally, some treaties offer mechanisms for individual and group complaints, allowing victims of human rights violations to seek redress at the international level, although this is contingent on the state having ratified the relevant optional protocols. CEDAW has demonstrably influenced the evolution of India's gender equality laws and policies, although the impact is nuanced and ongoing. The Indian Constitution itself provides foundational guarantees of equality before the law (Article 14) and prohibits discrimination on grounds of sex (Article 15). Furthermore, Article 15(3) empowers the state to make special provisions for women and children, laying the groundwork for affirmative action. Post-CEDAW ratification, India has enacted specific legislation that reflects the principles and objectives of the Convention. For example, the Protection of Women from Domestic Violence Act, 2005, directly addresses violence against women within the home, aligning with CEDAW's emphasis on the private sphere. While the Dowry Prohibition Act, 1961, predates CEDAW's ratification, it reflects the broader principle of eliminating harmful practices, although its effectiveness has been questioned. The Criminal Law (Amendment) Act, 2013, was enacted following widespread recommendations to strengthen laws related to violence against women, indicating a response to both domestic pressures and international standards. Similarly, the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, directly addresses Article 11 of CEDAW concerning discrimination in employment. In the realm of education and employment, the Equal Remuneration Act, 1976, mandates equal pay for equal work for men and women, aligning with Article 11. The Maternity Benefit Act, 1961, amended in 2017, provides crucial protections for women during pregnancy and after childbirth, consistent with Article 11. The Right of Children to Free and Compulsory Education Act, 2009, aims to reduce barriers to education for all children, including girls, thereby furthering the goals of Article 10. To enhance women's political participation, the 73rd and 74th Constitutional Amendments in the early 1990s provided for the reservation of seats for women in Panchayati Raj Institutions and Municipalities, reflecting the principles of Article 7. Other relevant legislative and policy measures include the establishment of the National Commission for Women in 1990, a national mechanism tasked with protecting women's rights, though

14 Ecumenical Centre for Research, Education and Advocacy, editor. *An NGO Report on the International Convention on the Elimination of All Forms of Racial Discrimination: Submission to the Fiji Country Report*. Ecumenical Centre for Research, Education and Advocacy, 2002.

India's reservations to CEDAW limit its full alignment¹⁵. The National Policy for the Empowerment of Women, 2001, also aims to advance and empower women across various spheres. Amendments to the Hindu Succession Act in some states have equalized inheritance rights for women, aligning with the principles of Article 16. Furthermore, the Prohibition of Child Marriage Act, 2006, reflects CEDAW's call to eliminate harmful practices. Notably, the Indian Supreme Court has, in certain instances, referred to CEDAW and other international human rights instruments in its judgments, particularly when addressing issues of gender equality, demonstrating the potential for international law to inform domestic judicial interpretation. Since ratifying CEDAW in 1993, India has made notable progress in several areas concerning gender equality. Women's representation in local government bodies, particularly through the reservation of seats in Panchayati Raj Institutions, has significantly increased. Literacy rates and educational enrollment for women have also shown improvement over the years. There has been some advancement in women's health indicators, although the maternal mortality ratio remains a significant concern. The enactment of specific laws addressing violence against women and discrimination, as detailed in the previous section, also represents progress. Furthermore, there is a growing awareness and public discourse surrounding gender equality issues in India. Despite these advancements, India continues to face persistent challenges and gaps in achieving full gender equality and implementing CEDAW's provisions effectively. High levels of gender-based violence, including domestic violence, dowry-related violence, and sexual assault, remain prevalent across the country. The skewed sex ratio and the continued practice of sex-selective abortions indicate a persistent son preference in many parts of India. Child marriage remains a significant issue, particularly in certain regions. Discrimination against women in employment persists, evidenced by wage gaps and limitations on women working in certain industries, especially at night. Women continue to be underrepresented in higher levels of political decision-making, such as in the national Parliament and the Council of Ministers. Deeply entrenched discriminatory social practices and cultural norms continue to impede progress¹⁶. A significant challenge lies in the effective implementation and enforcement of existing laws, where gaps and inconsistencies often hinder their impact. Regional disparities in the status of women and the implementation of CEDAW also persist. Furthermore, India's reservations to key articles of CEDAW continue

15 Reports Published by the Commission | National Commission for Women.

<http://ncw.nic.in/reports/publications/reports-published-by-the-commission>. Accessed 7 May 2025.

16 Gwara, Joyline, et al. "Discrimination and Violence against Women with Disabilities in Africa: Introducing Innocent Asouzu's Complementarity." *Philosophia Africana*, vol. 21, no. 2, Dec. 2022, pp. 63–77. DOI.org (Crossref), <https://doi.org/10.5325/philafri.21.2.0063>.

to limit the full application of the Convention's principles, particularly in areas related to personal laws. The non-ratification of the Optional Protocol to CEDAW also restricts the avenues for Indian women to seek international recourse for rights violations. The reform of personal laws, which often contain discriminatory provisions, has also been slow. Notably, data from the National Crime Records Bureau indicates an increase in reported crimes against women, which could reflect either a worsening situation or increased reporting, or a combination of both. The UN Committee on the Elimination of Discrimination against Women (CEDAW Committee) plays a crucial role in monitoring the implementation of the Convention by States parties, including India. States parties are obligated to submit periodic reports detailing the measures they have adopted to give effect to the provisions of CEDAW. The Committee then examines these reports and engages in a constructive dialogue with the reporting state's representatives, ultimately issuing concluding observations that highlight areas of progress and concern, along with recommendations for further action. Importantly, the Committee also considers 'shadow' or alternative reports submitted by non-governmental organizations (NGOs), which often provide critical perspectives and additional information on the implementation of CEDAW at the national level. Furthermore, the CEDAW Committee contributes to the interpretation and application of the Convention through the development of General Recommendations, which offer authoritative guidance on specific articles and thematic issues. At the national level in India, the National Commission for Women (NCW), established in 1992, serves as a key mechanism for promoting and safeguarding women's rights. As a statutory body, the NCW is mandated to oversee the implementation of constitutional and legal safeguards for women, review existing laws and recommend amendments, and investigate complaints related to the violation of women's rights¹⁷. The Commission plays a role in the preparation of India's national reports to the CEDAW Committee and also conducts its own studies and consultations on issues affecting women. Moreover, the NCW actively works to raise awareness about the provisions of CEDAW and to advocate for its effective implementation across various sectors. The scrutiny and recommendations from the CEDAW Committee provide valuable external pressure and guidance for India to enhance its efforts in fulfilling its obligations under the Convention. The NCW, as a national body, acts as a crucial link between the government, civil society, and India's international commitments under CEDAW, working to translate these commitments into

¹⁷ Peters, J. S., and Andrea Wolper. *Women's Rights, Human Rights: International Feminist Perspectives*. Routledge, 2018.

tangible improvements in the lives of women across the country.¹⁸ The consideration of NGO shadow reports by the CEDAW Committee ensures a more comprehensive understanding of the realities faced by women in India, complementing the official government reports with grassroots perspectives.

The implementation of CEDAW varies significantly across nations, reflecting diverse approaches to ratification, the extent of reservations made, and the specific strategies adopted to align national laws and policies with the Convention's principles. While many countries have ratified CEDAW, the number and nature of reservations differ considerably, indicating varying levels of commitment to specific provisions. Some nations have gradually withdrawn reservations over time, signaling a strengthening of their commitment. Implementation strategies also differ, with some countries prioritizing legislative reforms, such as adopting quota systems to increase women's political representation, while others focus on comprehensive legal overhauls across various sectors. The cultural, religious, and legal contexts of each country significantly influence the way CEDAW is implemented. For instance, secular democracies may face different challenges compared to countries with strong religious or customary law traditions. Civil society organizations and women's movements play a vital role in advocating for CEDAW's implementation and holding governments accountable in diverse national settings. Despite the progress made globally, common challenges persist in CEDAW implementation, including deeply rooted patriarchal attitudes, insufficient resources allocated to gender equality initiatives, and weaknesses in enforcement mechanisms. Furthermore, CEDAW has faced criticisms regarding its potential lack of intersectionality and its primary focus on a binary understanding of gender, highlighting areas for future development and more inclusive approaches. The wide array of reservations made by different countries underscores the ongoing challenges in achieving universal consensus on all aspects of gender equality, often reflecting tensions between international standards and national specificities. Comparing the diverse implementation strategies adopted by nations can provide valuable insights and best practices that India could consider to further enhance its own efforts in advancing gender equality. The consistent challenges encountered globally in translating CEDAW's principles into tangible realities highlight the deeply ingrained nature of gender inequality and the imperative for sustained and collaborative efforts at all levels to foster

18 Riles, Annelise. "The Virtual Sociality of Rights: The Case of 'Women's Rights Are Human Rights.'" *SSRN Electronic Journal*, 2000. DOI.org (Crossref), <https://doi.org/10.2139/ssrn.246419>.

meaningful and lasting change.

In conclusion, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) remains a pivotal international legal instrument for advancing gender equality and combating discrimination against women worldwide. India's ratification of CEDAW in 1993 marked a significant step in its commitment to these principles, although the accompanying reservations and declarations indicate the complexities of aligning international standards with India's diverse legal and socio-cultural landscape. International treaties like CEDAW play a crucial role in shaping national laws and policies by establishing global human rights standards and creating legal obligations for states. While India has made progress in enacting legislation and implementing policies that reflect CEDAW's objectives in areas such as violence against women, education, employment, and political participation, significant challenges persist. These include deeply entrenched patriarchal attitudes, persistent discriminatory practices, gaps in effective implementation, and the limitations posed by India's reservations to key articles of the Convention. The CEDAW Committee's monitoring role and the efforts of national mechanisms like the National Commission for Women are essential in holding India accountable and guiding further progress. Comparing India's experience with other nations reveals both common challenges and diverse strategies in CEDAW implementation, offering valuable lessons for future action. To fully realize the transformative potential of CEDAW, India may consider revisiting its reservations and exploring the possibility of ratifying the Optional Protocol, alongside sustained efforts to address the root causes of gender inequality through comprehensive legal reforms, policy interventions, and societal engagement.

CHAP - 3 : CEDAW AND INTERNATIONAL NORMS ON GENDER EQUALITY

Post-CEDAW Legal Reforms in India:

Since India's ratification of CEDAW in 1993, significant legal reforms have been introduced to address gender-based discrimination. Notably, the Protection of Women from Domestic Violence Act (2005) was enacted to safeguard women from abuse within households. The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act (2013) created mechanisms for preventing and addressing workplace harassment. The Maternity Benefit (Amendment) Act (2017) expanded maternity leave and improved benefits for women employees. The Criminal Law (Amendment) Act(2013) strengthened penalties for

crimes like rape and sexual assault following the 2012 Delhi gang-rape incident. Additionally, the Prohibition of Child Marriage (Amendment) Act (2016) raised the legal age for marriage for women to 21 years, aligning it with that for men. Despite these progressive changes, the challenge remains in ensuring effective implementation and addressing societal attitudes that continue to hinder women's full participation in all aspects of life. These reforms highlight India's ongoing commitment to fulfilling its obligations under CEDAW while grappling with socio-cultural barriers.

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), adopted by the United Nations General Assembly in 1979, represents a landmark in the global struggle for gender equality. Often referred to as an international bill of rights for women, CEDAW was designed to combat gender-based discrimination across all spheres of life, including legal, political, economic, and social realms. The need for CEDAW arose from the recognition that women were systematically marginalized and excluded from enjoying equal rights, despite the progress made in human rights protection following the establishment of the United Nations. Historically, international law had been focused on protecting civil and political rights, but there was a glaring gap in the protection of women's social, economic, and cultural rights. CEDAW emerged in response to these gaps, drawing on the 1948 Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights (ICCPR), which already contained provisions for equality but did not explicitly address gender-based discrimination. It became a groundbreaking treaty, setting an international standard for equality between men and women. The adoption of CEDAW marked a significant shift towards recognizing that gender equality required more than just formal legal rights; it also demanded concrete measures to ensure the effective realization of women's rights. Over the years, CEDAW's interpretation has evolved through periodic reviews by the Committee on the Elimination of Discrimination Against Women, a body of independent experts that monitors the implementation of the convention. With increasing attention on issues such as violence against women, economic empowerment, reproductive rights, and political participation, CEDAW has expanded its reach to cover a wide array of issues affecting women globally. The convention has also been recognized as a powerful instrument in the ongoing battle for gender equality, guiding national legislations, fostering regional agreements, and promoting activism and advocacy for women's rights across the world. CEDAW's core objective is to eliminate all forms of discrimination against women, and it encompasses several key provisions aimed at achieving this goal. The convention mandates that state parties take appropriate measures to

ensure the full development and advancement of women in all spheres, from public and political life to family life and employment. The impact of CEDAW globally has been profound, as it has not only influenced legal reforms within countries but also shaped international norms and standards on gender equality. Countries that ratify CEDAW are required to submit periodic reports on their implementation efforts, which are scrutinized by the CEDAW Committee. This reporting mechanism has held governments accountable for their commitments, spurring legislative changes, strengthening gender equality frameworks, and promoting the rights of women across diverse cultural contexts. Globally, CEDAW has helped inspire legal reforms related to domestic violence, workplace harassment, and the rights to education and healthcare for women. Its influence extends to the adoption of regional frameworks and agreements, such as the African Charter on Human and Peoples' Rights, which incorporates gender equality provisions inspired by CEDAW. The convention has also provided a framework for women's rights organizations and advocacy groups, who use its provisions to challenge discriminatory laws and practices. International law, as embodied by treaties like CEDAW, plays a critical role in shaping national legal systems by establishing common standards and creating a global framework for human rights. By ratifying CEDAW, countries not only commit to adhering to these standards but also align their domestic laws with international principles of gender equality. International treaties such as CEDAW create a binding obligation for governments to take steps towards addressing gender-based discrimination, often prompting domestic legal reforms in the process. The impact of international law on national reforms is seen in how CEDAW has acted as a catalyst for change in many countries, particularly in areas where gender equality was previously overlooked or underdeveloped. For example, many countries have enacted specific laws to address domestic violence, sexual harassment at the workplace, and women's participation in politics, in compliance with their obligations under CEDAW. Moreover, CEDAW has also influenced the judiciary in several countries, with courts referring to its provisions when interpreting national laws, ensuring that gender equality remains a core principle of constitutional jurisprudence. However, the role of international law is not always straightforward. National sovereignty, cultural differences, and political resistance can sometimes delay or obstruct the full implementation of CEDAW. In some cases, governments may adopt laws on paper without effectively enforcing them, often citing economic or social barriers as reasons for non-compliance. Nevertheless, international law remains a critical tool for advocacy, raising awareness about women's rights and ensuring that governments are held accountable for their gender equality commitments. India, a signatory to several international human rights treaties,

including CEDAW, has made significant strides in aligning its domestic laws with international norms. India ratified CEDAW in 1993, and since then, it has undertaken various legal and policy reforms aimed at improving the status of women. India's international human rights obligations, however, are not limited to CEDAW alone. India is also a signatory to the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social, and Cultural Rights (ICESCR), all of which contain provisions on gender equality and non-discrimination. India's commitment to these international instruments has led to significant legal reforms, such as the enactment of laws related to domestic violence, sexual harassment, and the protection of women's rights in marriage and inheritance. Despite these positive steps, the implementation of international human rights obligations, particularly CEDAW, remains a work in progress. Legal frameworks exist, but challenges persist in terms of enforcement, social acceptance, and addressing deeply ingrained cultural norms that often hinder the realization of gender equality in practice. India's compliance with international human rights obligations, including CEDAW, continues to be scrutinized by both domestic and international bodies. The periodic review process by the CEDAW Committee has highlighted areas where India has made progress, but also pointed to ongoing challenges, particularly in the areas of violence against women, access to justice, and the effective implementation of gender equality laws. Thus, India's relationship with international law is integral in understanding its gender equality journey, as it navigates both the promise and the limitations of global frameworks in addressing domestic issues.

CHAP- 4: DATA ANALYSIS AND DISCUSSION

4.1.Data Collection Methods:

Quantitative: Used surveys and statistical data to analyze gender equality indicators over time.

4.2.Data Analysis: Specify methods for analyzing qualitative interviews (e.g., thematic analysis) and quantitative data (e.g., trends analysis).

4.3.OVERVIEW:

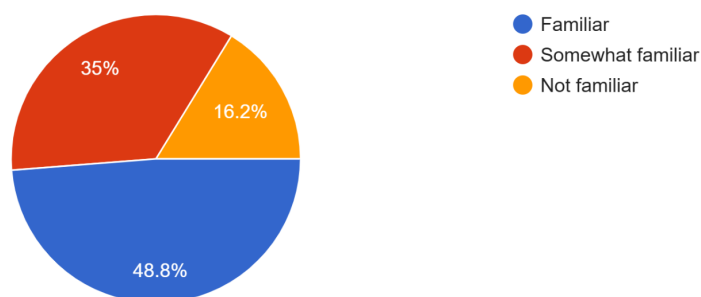
The pie charts and graphs in this study visually represent the responses collected from female lawyers, and stakeholders regarding India's compliance with CEDAW. The data reveals varying levels of awareness, perceptions, and experiences related to the implementation of

gender equality laws.

Figure 1:

How familiar are you with the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)?

80 responses

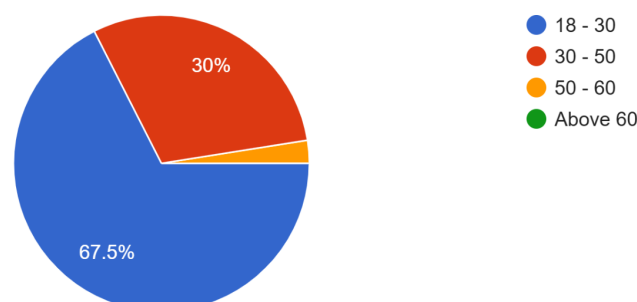


Explanation: The responses expressed in the pie chart shows that 48.8% of the respondents were familiar with the Convention on the elimination of all forms of discrimination against women (CEDAW). The second highest response was that 35% of the respondents were somewhat familiar with the convention. 16.2% of the respondents were not familiar with the convention. This shows that most of the responded population were familiar and aware with the Conventional ideas.

Figure 2:

Age

80 responses



Explanation:

The responses in the pie chart shows that 67.5% of the responded population were between the

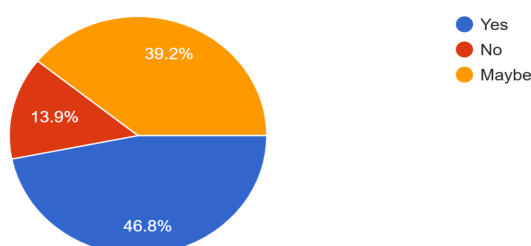
age of 18- 30. 30% of the population responded were between the age group of 30 -50. Few respondents in the age group of 50-60.

This response shows that the youngsters were much aware about the convention.

Figure 3:

Do you believe that India's ratification of CEDAW has led to significant changes in domestic legal frameworks related to women's rights?

79 responses



Explanation:

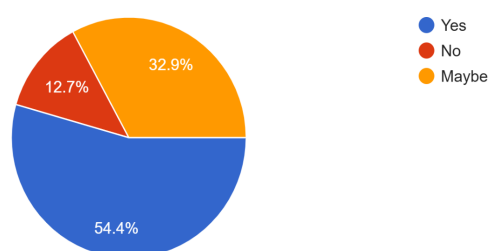
The responses expressed in the pie charts shows that 46.8% of the respondents believe that India's ratification of CEDAW has led to significant changes in domestic legal frameworks related to women's rights. 39.2% of the respondents don't believe in the changes in legal frameworks by ratification of CEDAW. 13.9% of the respondents were not sure about the changes.

This shows that most of the respondents believe that India's ratification of CEDAW has led to significant changes in domestic legal frameworks related to women's rights.

Figure 4:

Has your department made any changes to its policies or practices since India ratified CEDAW?

79 responses



Explanation:

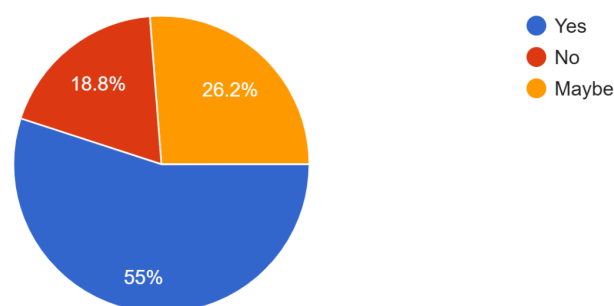
The responses expressed in the pie charts shows that 54.4% of the respondents responded that their department has made changes to its policies and practices since India ratified CEDAW. 32.9% responded that there were no changes updated in their department after the ratification of CEDAW in India. 12.7% of the respondents responded that they were not sure and doubtful about the changes in their department.

This shows that most of the department has made changes to its policies and practices since India ratified CEDAW.

Figure 5:

In your professional experience, have you observed any challenges in the implementation of laws aimed at promoting gender equality in India?

80 responses

**Explanation:**

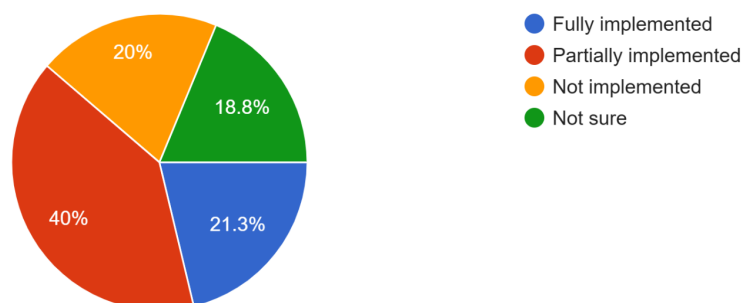
The responses expressed in the pie charts show that 55% of the respondents have observed challenges in the implementation of laws aimed at promoting gender equality in their profession. 26.2% of the respondents have not observed any challenges. 18.8% of respondents responded as may be.

This shows that most of the respondents have observed challenges in the implementation of laws aimed at promoting gender equality in their profession.

Figure 6:

To what extent do you believe the Indian government has implemented the provisions of CEDAW into its national legal framework?

80 responses

**Explanation:**

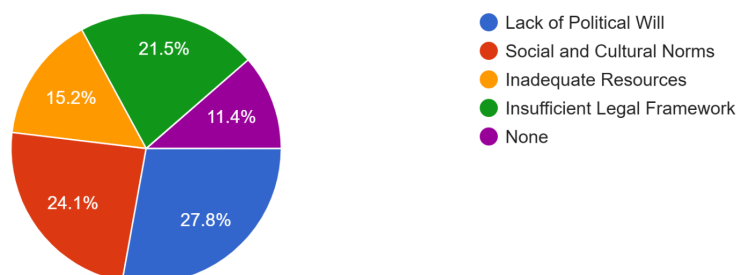
The responses expressed in the pie charts shows that 40% of the respondents believe that the Indian government has partially implemented the provisions of CEDAW into its national legal framework. 21.3% of respondents believe that the Indian government fully implemented the provisions of CEDAW. 20% of respondents believe that the Indian government has not implemented the CEDAW provisions. 18.8% of the respondents were not sure about the implementation.

This shows that most of the respondents believe that the Indian government has partially implemented the provisions of CEDAW into its national legal framework.

Figure 7:

What do you think are the primary barriers to the full implementation of CEDAW in India?

79 responses



Explanation:

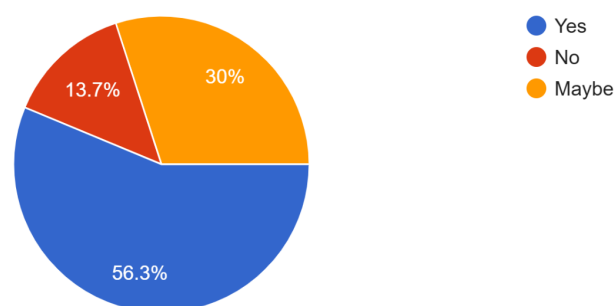
The responses expressed in the pie charts shows that 27.8% of the respondents think that lack of political will is the primary barrier to the full implementation of CEDAW in India. 24.1% of the respondents believe that social and cultural norms are the barrier for full implementation. 21.5% think insufficient legal frameworks were the barrier. 15.2% think inadequate resources are a barrier. 11.4% think these options were not a barrier.

This shows that most of the respondents think that lack of political will is the primary barrier to the full implementation of CEDAW in India.

Figure 8:

Do you believe that gender-specific laws or reforms in India (such as the Protection of Women from Domestic Violence Act, 2005) have been positively influenced by CEDAW?

80 responses

**Explanation:**

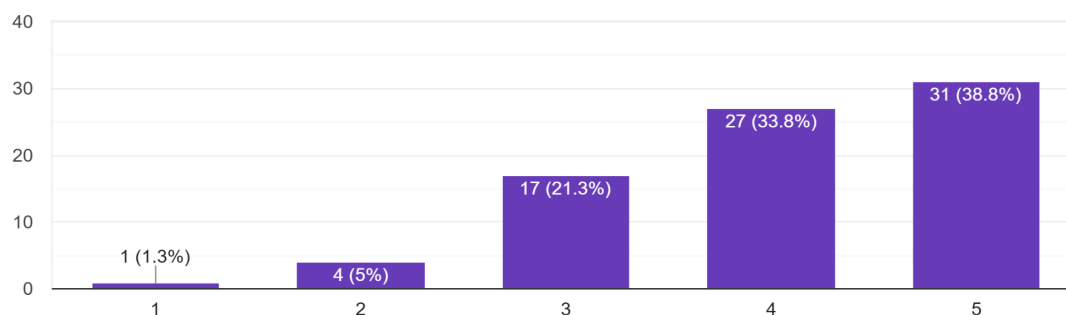
The responses expressed in the pie charts shows that 56.3% of the respondents believe that gender specific laws or reforms in India have been positively influenced by CEDAW. 30% of the respondents were not sure with the positive influence of the CEDAW over gender specific laws. 13.7% of the respondents does not believe that CEDAW positively influence the gender specific laws.

This shows that most of the respondents believe that gender specific laws or reforms in India have been positively influenced by CEDAW.

Figure 9:

How would you rate the Indian government's commitment to promoting gender equality in line with CEDAW's recommendations?

80 responses

**Explanation:**

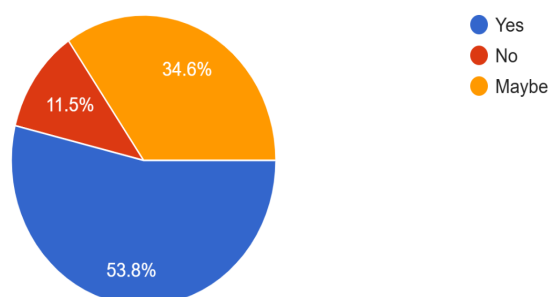
The responses expressed in the graph shows that 38.8% of the respondents rated 5 stars for the commitment of the Indian government to promote gender equality in line with CEDAW's recommendation. 33.8% of the respondents rated 4 stars for the commitment of the Indian government to promote gender equality in line with CEDAW's recommendation. 21.3% rated 3 stars and 5% rated 2 stars. 1.3% of the respondents rated 1 star for the Indian government.

This shows that most of the respondents rated 5 stars for the commitment of the Indian government to promote gender equality in line with CEDAW's recommendation.

Figure 10:

Do you believe that India will continue to make progress in gender equality in the coming years?

78 responses



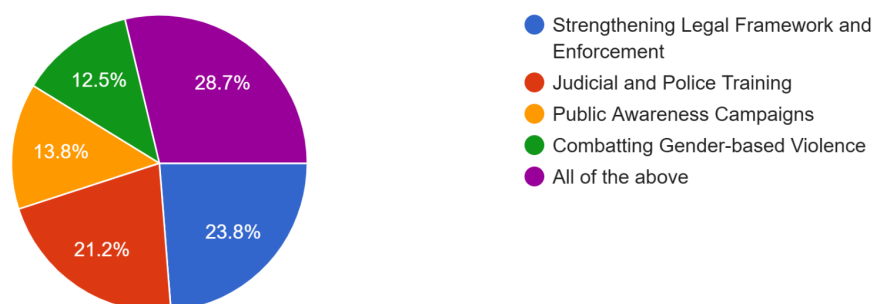
Explanation:

The responses expressed in the pie charts shows that 53.8% of the respondents believe that India will continue to make progress in gender equality in the coming years. 34.6% have a doubt over the progress and 11.5% of the respondents believe that there will be no progress in the upcoming years.

This shows that most of the respondents believe that India will continue to make progress in gender equality in the coming years.

Figure 11:

What additional steps do you think should be taken to strengthen the implementation of CEDAW provisions in India?
80 responses

**Explanation:**

The responses expressed in the pie charts shows that 28.7% think that all the provided options to be taken as steps to strengthen the implementation of CEDAW provisions in India. 23.8% of the respondents think that strengthening legal framework and enforcement will lead to strengthened implementation of CEDAW in India. 21.2% think judicial and police training will strengthen the legal framework. 13.8% think public awareness campaigns and 12.5% think combating gender-based violence will lead to strengthening the legal implications of CEDAW in India.

This shows that most of the respondents think that all the provided options should be taken as steps to strengthen the implementation of CEDAW provisions in India.

Overview analysis:

From the above provided figures, most of the responded population were familiar and aware with the Conventional ideas, the youngsters were much aware about the convention, most of the respondents believe that India's ratification of CEDAW has led to significant changes in domestic legal frameworks related to women's rights, most of the department has made changes to its policies and practices since India ratified CEDAW, most of the respondents have observed challenges in the implementation of laws aimed at promoting gender equality in their profession, most of the respondents believe that the Indian government has partially implemented the provisions of CEDAW into its national legal framework, most of the respondents think that lack of political will is the primary barrier to the full implementation of CEDAW in India, most of the respondents believe that gender specific laws or reforms in India have been positively influenced by CEDAW, most of the respondents rated 5 stars for the commitment of the Indian government to promote gender equality in line with CEDAW's recommendation, most of the respondents believe that India will continue to make progress in gender equality in the coming years, most of the respondents think that all the provided options should be taken as steps to strengthen the implementation of CEDAW provisions in India.

Therefore, The provided hypothesis of the research "Ratification of CEDAW has led to significant legislative and policy reforms in India; however, socio-legal challenges hinder its full implementation and effectiveness" is proved. It's a null hypothesis.

FINDINGS OF THIS RESEARCH:

Despite the challenges, India has shown a commitment to gender equality, influenced by international treaties like CEDAW, which has spurred some positive legal and policy changes. To improve compliance with CEDAW, India must focus on strengthening institutional mechanisms that ensure the effective enforcement of gender equality laws. This includes enhancing training for law enforcement, promoting gender sensitivity within judicial processes, and addressing cultural and societal biases that perpetuate gender-based discrimination. The hypothesis of the research "Ratification of CEDAW has led to significant legislative and policy reforms in India; however, socio-legal challenges hinder its full implementation and effectiveness" is proved. It's a null hypothesis. This research contributes to the field of socio-legal studies by providing a nuanced understanding of how international human rights frameworks like CEDAW shape domestic legal reforms in India.

CHAP - 5: CONCLUSION

5.1 CONCLUSION AND RECOMMENDATION:

This study highlights that while India has made notable strides in aligning its domestic legal framework with CEDAW through reforms like the Protection of Women from Domestic Violence Act (2005) and the Sexual Harassment of Women at the Workplace Act (2013), there remain significant gaps in enforcement, implementation, and societal transformation. The legal framework exists, but societal barriers, ineffective law enforcement, and regional disparities hinder the full realization of gender equality. Despite these challenges, India has shown a commitment to gender equality, influenced by international treaties like CEDAW, which has spurred some positive legal and policy changes. To improve compliance with CEDAW, India must focus on strengthening institutional mechanisms that ensure the effective enforcement of gender equality laws. This includes enhancing training for law enforcement, promoting gender sensitivity within judicial processes, and addressing cultural and societal biases that perpetuate gender-based discrimination. There is a need for better monitoring of legal reforms and ensuring that they reach marginalized groups, particularly in rural and underdeveloped regions. India can bridge the policy and practice gaps by implementing robust gender-sensitive budgets, increasing women's representation in decision-making positions, and ensuring that laws are actively enforced, particularly in rural and underserved regions. Establishing comprehensive data collection mechanisms to track the implementation of gender equality policies and better integrating gender equality into all sectors of governance will be crucial. Furthermore, greater collaboration between civil society organizations and the government can promote accountability and awareness of women's rights.

5.2 Socio-Legal Challenges:

Despite India's commitment to CEDAW, several socio-legal challenges and policy gaps hinder the full realization of gender equality. Cultural norms and deep-rooted patriarchal values continue to restrict women's autonomy, especially in rural areas. Gender-based discrimination is prevalent in various spheres, such as employment, education, and inheritance, with women often subjected to stereotypes that limit their opportunities. Additionally, many women remain unaware of their legal rights under CEDAW and domestic laws, preventing them from seeking justice or protection. Policy gaps are evident in the lack of gender-sensitive training for law enforcement and the absence of coordination between government departments, resulting in

fragmented implementation of women's rights laws. Furthermore, enforcement of laws remains weak, with underreporting of crimes like domestic violence and sexual harassment due to fear of social stigma or retaliation. Women often face long delays in the judicial process, and insufficient support systems, such as shelters and legal aid, exacerbate their difficulties. Bias in legal proceedings and the slow pace of justice further discourage women from pursuing cases, leading to a lack of accountability for perpetrators. Addressing these issues requires comprehensive reforms, including improved enforcement mechanisms, better coordination between authorities, and enhanced public awareness to empower women in seeking their rights.

5.3 Public Awareness and Stakeholder Perception:

In the survey conducted, societal perceptions often downplay gender-based discrimination, leading to a lack of support for women facing violence or harassment. Stakeholders, including law enforcement, judiciary, and policymakers, often lack gender sensitivity, which affects their ability to address women's issues effectively. Public awareness campaigns are essential to challenge stereotypes, educate women about their rights, and shift societal attitudes towards gender equality. However, more needs to be done to engage all stakeholders like government agencies, NGOs, civil society, and communities in creating an environment where women feel empowered and protected. Effective advocacy and continuous education are vital for transforming perceptions and ensuring sustained progress in gender equality.

5.4 Gender Equality Indicators:

Since India's ratification of CEDAW in 1993, there have been notable trends in gender equality indicators, though challenges persist. Female literacy rates have improved significantly, rising from 39.3% in 1991 to 65.46% in 2011, reflecting efforts in education initiatives like Sarva Shiksha Abhiyan. However, gender disparities in labor force participation remain, with women's participation still low at around 24% in 2021, compared to much higher rates for men. Cultural norms and lack of access to formal employment continue to limit women's economic involvement. In terms of crime rates, although laws like the Protection of Women from Domestic Violence Act (2005) have been enacted, crimes like domestic violence and sexual harassment remain widespread, indicating gaps in law enforcement and societal attitudes. While CEDAW has spurred legal reforms, the pace of change in social and economic spheres continues to be uneven, particularly in rural areas. Progress in women's empowerment is ongoing, but significant challenges remain in achieving full gender equality.

5.5 Comparative Evaluation:

India's progress in gender equality, following its ratification of CEDAW, has been both commendable and challenging, particularly when compared to other nations that have also ratified the convention. Like India, many developing countries have made strides in improving female literacy rates and expanding access to education, but face similar hurdles in labor force participation and tackling gender-based violence. Countries like Rwanda and Sweden, for example, have shown more pronounced progress in closing the gender gap in employment and political representation, thanks to robust policies and stronger institutional frameworks. India has made improvements in female literacy and legal protections, but societal norms, slow law enforcement, and unequal economic opportunities have hindered faster progress. In contrast, nations like Sweden and Finland, with more comprehensive social safety nets and gender-sensitive policies, have achieved higher labor force participation and lower rates of gender-based violence. India's challenges in balancing rapid urbanization with rural gender disparities and the need for effective policy implementation underscore the complexity of achieving gender equality, despite CEDAW's framework. Therefore, while India has made progress, the pace and extent of change are often slower compared to some CEDAW-ratifying nations that have stronger institutional support and cultural shifts toward gender equality.

5.6. OUTCOME AND SUGGESTIONS:

This research contributes to the field of socio-legal studies by providing a nuanced understanding of how international human rights frameworks like CEDAW shape domestic legal reforms in India. It critically analyzes the interplay between international treaty obligations and local socio-political contexts, offering insights into the challenges of translating international norms into practical, enforceable laws. Future research can explore India's compliance with other international treaties related to human rights, such as the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). Additionally, more focused studies on CEDAW's impact in specific sectors, such as health, education, and political participation, can provide valuable insights into the ongoing challenges and successes of gender equality initiatives in India. This study aims to provide insights into the effectiveness of CEDAW in shaping India's domestic legal framework, identify key gaps and challenges in policy implementation, and offer actionable recommendations for enhancing India's compliance with international gender equality standards.