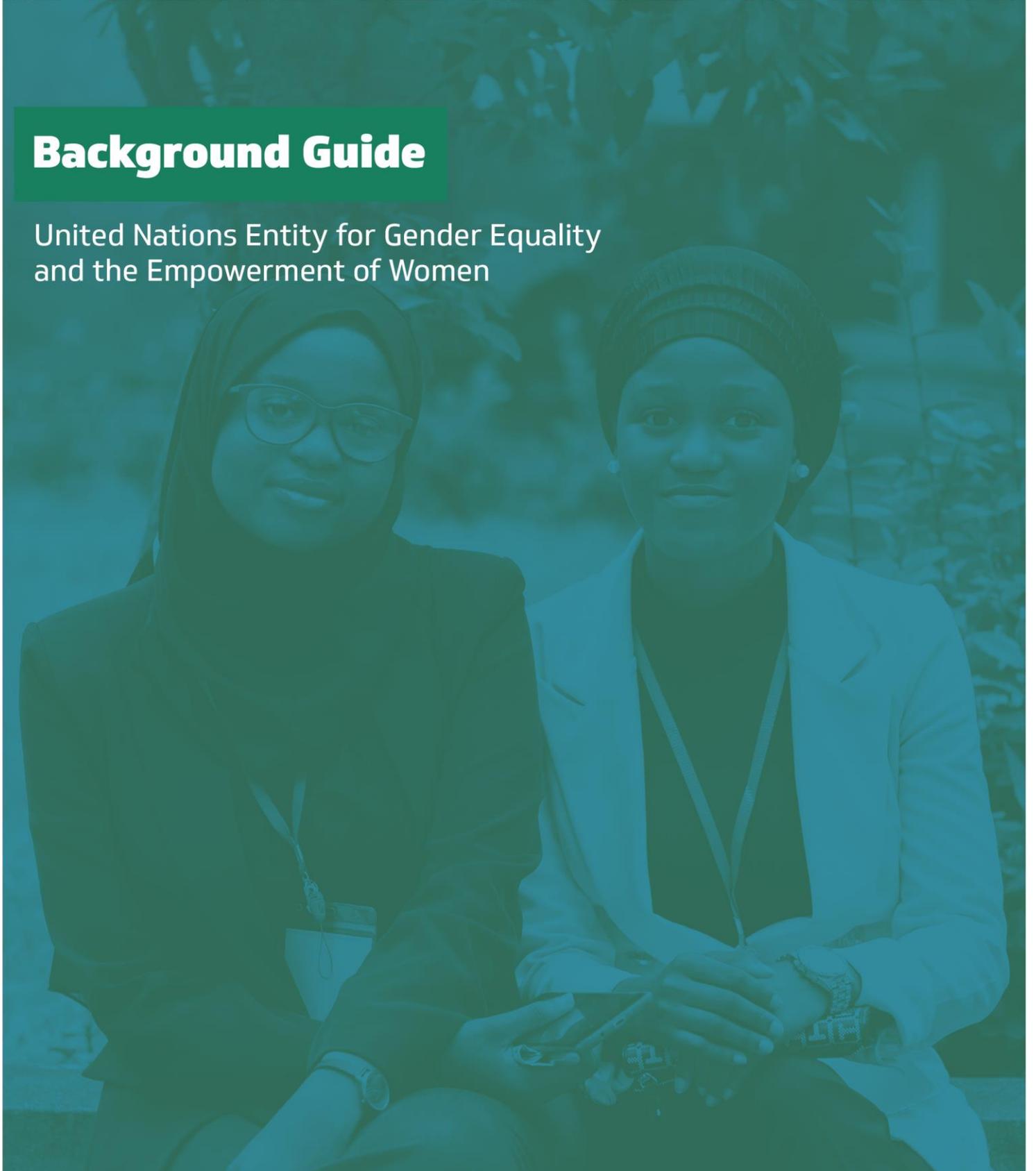




Background Guide

United Nations Entity for Gender Equality
and the Empowerment of Women



Property of Lagos Model United Nations
Background Guide: United Nations Entity for Gender Equality and the Empowerment of Women.

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LMUN 2020: The Fifth Session.

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Letter from the USG

Dear Delegates,

It is my pleasure to welcome you to this year's Lagos Model United Nations (LMUN) conference. This year symbolizes many things for us at LMUN but most importantly, it is our fifth year and our fifth session. LMUN is a platform for youths to innovate, debate and take action to create the world that they want, while developing skills in leadership, public speaking, diplomacy, critical thinking, research and teamwork. This has been our mission for the last four years and we hope to achieve this and more this year.

The world has only ten years to achieve its goals on global issues including gender equality. Yet, there is still a lot to be done. The task ahead is not an easy one, so everyone must play their part. It is my hope that delegates embrace this duty and strive to create solutions to the issues before their committees. Furthermore, it is my hope that this desire to make impact transcends beyond this conference.

The staff for the **United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women)** are: **Adedokun Titilope Ayo** (Under-Secretary-General); **Oluwakemi Adeola Agbato** (Chair); **Boluwatito Sanusi** (Vice Chair); and **Amarachi Ego-Osuala** (Researcher).

Titilope was a delegate at LMUN 2017 & 2018, where she won Position Paper and Distinguished Delegate awards. She was also a Vice Chair at LMUN 2019. She served as a delegate at National Model United Nations New York 2019, where she won the Position Paper award and co-won the Outstanding Delegation award. In 2020, she served as a Chair at Geneva International Model United Nations. **Oluwakemi** is a 400 level law student at the University of Lagos. She was a delegate at LMUN 2018, where she won the Outstanding Position Paper award and Honorable Mention award. She served as a Researcher in UNICEF at LMUN 2019. She was part of the University of Lagos Delegation at the Rome Model United Nations 2020. She has an avid interest in gender advocacy, LGBTQ rights and international law. **Boluwatito** is a 500 level law student at the University of Lagos. She was a delegate at LMUN 2016 and 2017. She served as a Researcher for ACERWC during LMUN 2019. She has a keen interest in international human rights law and gender studies. **Amarachi** is a 500 level law student at the University of Lagos with a passion for gender equality and arbitration. She participated in LMUN 2018 as a delegate in the CSW committee where she was awarded the Distinguished Delegate and Outstanding Position Paper Award. She is also actively involved in various organizations that foster gender equality. **Anuoluwa** is a 400 level law student at the University of Lagos. She was a delegate at the LMUN 2018 Conference and the 2020 YISMUN Virtual Conference where she won the verbal mention award. She was part of the University of Lagos Delegation at the Rome MUN 2020. She is interest in gender equality and human rights.

UN-Women is dedicated to the promotion of equality and empowerment for women, in all spheres of life. This includes the promotion of women in leadership and government, freedom from violence and oppression, economic freedom and decent work for women, and the inclusion of women in peacekeeping and peace-building efforts.

The topics to be discussed by the committee are:

- I. Period Poverty and Stigma
- II. Digital Technology and Sexual Violence

The Background Guide is one of the first steps to research at LMUN. However, delegates must note that it is not to serve as a replacement for their individual research. Therefore, delegates are encouraged to conduct research outside of the Background Guides. Delegates are also advised to make use of the Further Research, Annotated Bibliography and Bibliography parts of the Background Guide to aid their research. In addition to this, delegates are encouraged to use the Delegate Prep Guide and the Rules of Procedure for their preparation towards the Conference. These documents are available on the LMUN website – www.lmun.ng.

In order to further prepare for the conference, each delegate or delegation is to submit a Position Paper on the date communicated after registration and assignment of country and committee, in accordance with the position paper guide.

If you have any questions or concerns regarding your preparation for the committee or the Conference itself, please contact the USG at - usgpeacesecurityhr@lmun.ng or the committee at - unwomen@lmun.ng.

We look forward to seeing you at the LMUN 2020 Conference!

Adedokun Titilope Ayo

USG Peace, Security and Human Rights, LMUN 2020

Abbreviations

BIK	Better Internet for Kids
CDC	Centre for Disease Control
COE	Council of Europe
CRC	Convention on the Rights of the Child
CSW	Commission on the Status of Women
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
ECOSOC	Economic and Social Council
FEMM	European Parliament Committee on Women's Rights
FRA	Agency for Fundamental Rights
GBV	Gender-Based Violence
GNC	Gender Non-Conforming
GPS	Global Positioning System
HRC	Human Rights Council
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICRW	International Centre for Research on Women
ICT	Information and Communication Technology
IPV	Intimate Partner Violence
LGBT	Lesbian, Gay, Bisexual, and Transgender
MHM	Menstrual Health Management
OECD	Organization for Economic Co-operation and Development
SDG	Sustainable Development Goal
SID	Safer Internet Day
SIF	Safer Internet Forum
SMS	Short Message Service
STI	Sexually Transmitted Illness
STD	Sexually Transmitted Disease
UK	United Kingdom
UN	United Nations
US	United States
UN-Women	United Nations Entity for Gender Equality and the Empowerment of Women
UNFPA	United Nations Population Fund
VAWG	Violence Against Women and Girls
WASH	Water, Sanitation and Hygiene
WHRD	Women Human Rights Defenders

Committee Overview

“I am not free while any woman is unfree, even when her shackles are very different from my own” – **Audre Lorde, African American Feminist, Womanist and Civil Rights Activist**¹

Introduction

As reflected over the years, women have been described as the face of poverty, particularly rural poverty, due to their lack of access to education, productive resources and assets, capabilities and decent paid employment.² Women also remain at the highest percentile of persons facing sexual, physical and domestic violence.³ Additionally, no country in has achieved complete gender equality.⁴ In fact, with the current rates of progress, it will take the international community over 170 years to fully close the economic gap.⁵ Therefore, to consolidate international efforts and advance the efforts in promoting gender equality at the international level, the General Assembly in July 2010 established the United Nations (UN) Entity for Gender Equality and the Empowerment of Women (UN-Women). It was established with the universal directive “to achieve gender equality, women’s empowerment, and uphold women’s rights.⁶ UN-Women is geared towards addressing the gendered dimensions of all human rights and development issues. Realizing freedom from sexist oppression means that the body centres women in all the areas they have been marginalized which include political and economic participation and leadership.

In carrying out its directives and principles, UN-Women is guided by certain principles established in a plethora of international instruments. The most important document to UN-Women is the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW).⁷ It provides a framework for eliminating gender discrimination. The *Strategic Plan 2018–2021* states UN-Women’s strategic plans for gender equality between 2018 to 2021.⁸ It buttresses effort to achieve the *Beijing Declaration and Platform for Action* and supports gender issues in the implementation of the *2030 Agenda for Sustainable Development*, which contains the Sustainable Development Goals (SDGs) concerning women’s right and gender equality.⁹ Additionally, over the past 15 years, UN

¹ The uses of anger: women responding to racism keynote presentation at National Women’s Studies Association Conference, Storrs, Connecticut, USA, June 1981.

² John Hendra, “Feminization of Poverty in Rural Areas”, 2014.

³ UN-Women, Facts and figures: Ending violence against women.

⁴ UN-Women, United Nations Entity for Gender Equality and the Empowerment of Women strategic plan, 2018-2021, 2017, p. 7.

⁵ *Ibid.*

⁶ Comprehensive proposal for the composite entity for gender equality and the empowerment of women: Report of the Secretary-General (A/64/588) 2010.

⁷ General Assembly, Convention on the Elimination of All Forms of Discrimination Against Women, 18 December 1979 UNTS vol. 1249, p. 13.

⁸ UN-Women, “UN-Women Strategic Plan 2018-2021”.

⁹ *Ibid.*

Member States have shown and gained greater awareness and understanding of the role of women in international peace and security due to Security Council resolutions like *Resolution 1325* (2000) on “Women and Peace and Security,” and subsequent resolutions: *1820* (2008), *1888* (2009), *1889* (2009), *1960* (2010), *2106* (2013), *2122* (2013), and *2242* (2015).¹⁰ These documents provide a framework for gender action at local, national and international levels. Supporting efforts to mainstream implementation of these global norms, as well as the principle of gender equality is central to UN-Women’s mandate and at the heart of it’s mission.¹¹

UN-Women is the body responsible for monitoring and assisting global, regional and national efforts, laws, policies, programmes and partnerships towards a more inclusive world and positioning gender equality as central to achieving Sustainable Development Goals (SDGs).

Governance, Structure and Membership

For the first few decades of the existence of the UN, there were a plethora of entities with overlapping mandates addressing issues related to women’s rights and gender equality.¹² The concept of one central body overseeing all issues of gender equality was part of discussions held by the High-Level Panel convened by the UN Secretary-General, to discuss possible reforms of the UN system to achieve greater coherence and coordination in 2006.¹³

The Office of the Special Adviser on Gender Issues and Advancement of Women (OSAGI), the Division for the Advancement of Women of the Secretariat (DAW), the UN Development Fund for Women (UNIFEM), and the International Research and Training Institute for the Advancement of Women (INSTRAW) were amalgamated in 2010 by General Assembly *Resolution 64/289* on system-wide coherence (A/RES/64/289).¹⁴ UN-Women is also governed by other documents such as General Assembly *Resolution 63/311* (2009) on system-wide coherence (A/RES/63/311)¹⁵ and the Comprehensive proposal for the composite entity for gender equality and the empowerment of women: Report of the Secretary-General (A/64/588) in 2010:¹⁶

In the Comprehensive Proposal for the Composite Entity for Gender Equality and the Empowerment of Women: Report of the Secretary-General, UN-Women is proposed as an entity to support gender equality and the empowerment of women, work with the Commission on the Status of

¹⁰ See UN-Women, *Guiding Documents*, 2018.

¹¹ UN-Women, “UN Entity for Gender Equality and the Empowerment of Women Strategic Plan” 2018-2021, 2017.

¹² UN-Women, “UN-Women: The United Nations Entity for Gender Equality and the Empowerment of Women”.

¹³ *Delivering as One “Report of the High-level Panel on System-wide Coherence”* (2006).

¹⁴ UN-Women, “About”.

¹⁵ General Assembly, *System-wide coherence: resolution/adopted by the General Assembly*, 2 October 2009, A/RES/63/311.

¹⁶ *Comprehensive proposal for the composite entity for gender equality and the empowerment of women: Report of the Secretary-General (A/64/588)* 2010.

Women, the Economic and Social Council, the General Assembly and the Security Council to strengthen coherence and implementation of UN gender equality policies. Given its mandate to promote women empowerment, the Commission on the Status of Women, a functional committee of ECOSOC plays a crucial role in the UN-Women.¹⁷

The UN-Women, as stated in *Article 57* of the General Assembly *Resolution 64/289*¹⁸ is governed by a multi-tiered and intergovernmental structure. This structure of the government comprises of the General Assembly, the Economic and Social Council (ECOSOC) and the Executive board of the committee. The Executive board consists of forty-one members, as follows: Ten from the Group of African States; 10 from the Group of Asian States; four from the Group of Eastern European States; six from the Group of Latin American and the Caribbean States; five from the Group of Western European and Other States.¹⁹ The last six seats belong to financial contributors, four seats are occupied by countries that provide the largest sums to UN-Women and two seats to developing countries which are not members of the Development Assistance Committee of the Organization for Economic Cooperation and Development.²⁰ ECOSOC is to elect members to the Executive Board for a period of 3 years in accordance with the established practice.²¹ The Executive board is headed by an executive director.²²

The UN-Women is governed by an Under-Secretary-General who is appointed by the Secretary-General in consultation with the Member States for a period of four years.²³ UN-Women is expected to turn in an annual report to ECOSOC which will, in turn, be sent to the General Assembly.²⁴ The normative processes of UN-Women are funded by the UN regular budget.²⁵ However, operational processes are funded by voluntary contributions.²⁶

Mandate, Functions and Powers

UN-Women is dedicated to the achievement of gender equality. UN-Women is mandated to support women's equal participation in all aspects of life. UN-Women implements its mandate with the assistance of governments and the civil societies by devising legal instruments and programmes to ensure gender justice is accomplished for girls and women worldwide.²⁷ UN-Women's areas of activity include peace and security, political participation

¹⁷ *Ibid*, p. 27.

¹⁸ UN-Women, UN-Women Executive Board: Members, 2018; General Assembly, System-wide coherence (A/RES/64/289), 2010.

¹⁹ *Ibid*, p 10.

²⁰ *Ibid*.

²¹ *Ibid*, p .11.

²² *Ibid*, p. 27.

²³ *Ibid*, p. 11.

²⁴ *Ibid*, p. 27.

²⁵ *Ibid*, p. 12.

²⁶ *Ibid*, p. 12.

²⁷ UN-Women, "About".

and government planning, the fight against HIV/AIDS, the economic empowerment of women, participating in and shaping the process of ending gender-based violence.²⁸

The mandate for UN-Women as articulated in General Assembly *Resolution 64/289* (2010) is to provide “guidance and technical support to all Member States, across all levels of development and in all regions, at their request, on gender equality, empowerment and rights of women and gender mainstreaming”.²⁹ The mandate is separated into policy and norm-setting activities, and operational activities in cooperation with UN Member States.³⁰ To enforce the rights of women and girls globally, UN-Women’s main roles are:³¹

- a. To support inter-governmental bodies, such as the Commission on the Status of Women (CSW), in their formulation of policies, global standards and norms;
- b. To help Member States implement these standards, standing ready to provide suitable technical and financial support to those countries that request it, and to forge effective partnerships with civil society;
- c. To lead and coordinate the UN system’s work on gender equality, as well as promote accountability, including through regular monitoring of system-wide progress.

UN-Women focuses on five priority areas which are:³² expanding women’s voice, leadership and participation; ending violence against women and girls; strengthening women’s full participation in conflict resolution and peace processes; enhancing women’s economic empowerment; and making gender equality central to national development planning and budgeting. UN-Women has been fully engaged in the ongoing reforms, to ensure that they strengthen system coherence in supporting gender equality and women’s empowerment, and providing guidelines for working environments with inclusivity, diversity and equality.³³

The UN-Women has eight core functions which are:³⁴

- a. Provide substantive support to UN bodies (the CSW, the ECOSOC, the General Assembly and the Security Council) in which commitments, norms and policy recommendations on gender equality and gender mainstreaming are discussed and agreed upon;
- b. Support national efforts to promote and enhance gender equality and women’s empowerment through innovative and catalytic country-driven programming, working with the entire UN country team, including on gender mainstreaming,

²⁸ UN-Women, “What we do”, 2014; UN-Women, “Annual Report” 2013-2014, 2014, p. 4.

²⁹ General Assembly, System-wide coherence (A/RES/64/289) 2010, p. 9.

³⁰ UN ECOSOC, Normative aspects of the work of the United Nations Entity for Gender Equality and the Empowerment of Women (E/CN.6/2018/2), 2017.

³¹ Comprehensive proposal for the composite entity for gender equality and the empowerment of women: Report of the Secretary-General. (A/64/588) 2010, para. 6.

³² UN-Women, “Our Mandate”.

³³ UN-Women, Annual Report 2018-2019, 2014, p. 1.

³⁴ Comprehensive proposal for the composite entity for gender equality and the empowerment of women: Report of the Secretary-General. (A/64/588) 2010.

capacity development and the provision of targeted technical cooperation, in line with national priorities;

- c. Undertake global, regional and national advocacy efforts on issues critical to gender equality and women's empowerment to ensure that under-recognized and under-resourced issues receive national, regional and global attention;
- d. Support Member States in implementing and monitoring the 12 critical areas of the *Beijing Platform for Action*, the outcome document of the twenty-third special session of the General Assembly, Security Council *Resolutions 1325 (2000)* and *1820 (2008)* and other resolutions, as well as the *Convention on the Elimination of All Forms of Discrimination against Women*;
- e. Undertake new, and consolidate existing, research and analytical work to support overall objectives, and act as a hub/centre of knowledge and experience on gender equality and women's empowerment from all parts of the UN system;
- f. Lead and coordinate UN system strategies, policies and actions on gender equality and women's empowerment to promote effective system-wide gender mainstreaming, drawing fully on the comparative advantage of UN actors;
- g. Strengthen the accountability of the UN system, including through oversight, monitoring and reporting on system-wide performance on gender equality;
- h. Monitor and report on system-wide compliance with intergovernmental mandates on gender balance, including at the senior and decision-making levels.'

Other functions include providing support for national efforts to promote and enhance gender equality and women empowerment by providing policy advice and institutional support, supporting Member States in implementing and monitoring international agreements.³⁵ UN-Women also provides support to the CSW, the ECOSOC, the General Assembly and the Security Council, in the achievement of the goal of gender equality and implementation of the gender mainstreaming strategy.³⁶

Recent Sessions and Current Priorities

UN-Women plays an important role in achieving the *2030 Agenda for Sustainable Development* adopted by the UN as gender equality is interwoven in the Agenda.³⁷ Goal 5 of the SDGs aims to achieve gender equality and empower women and girls.³⁸ Other SDGs have specific targets on gender equality such as Target 4.5 on quality education which aims to eliminate gender disparities in education.³⁹ Target 8.8 on decent work and economic growth also aims at protecting the labour rights and promoting a safe and secure environment for women.⁴⁰

³⁵ Comprehensive Proposal for the Composite Entity for Gender Equality and the Empowerment of Women, p. 9.

³⁶ *Ibid*, p. 11.

³⁷ UN-Women, "Gender Equality in the 2030 Agenda for Sustainable Development".

³⁸ Sustainable Development Goals Knowledge Platform, "SDG 5".

³⁹ ILO, "Relevant SDG Targets Related to Gender".

⁴⁰ ILO, "Relevant SDG Targets Related to Gender".

The UN-Women Strategic Plan 2018-2021⁴¹ was developed after careful consideration of lessons learnt from Strategic Plan 2014-2017 which sought to make "this the Century for gender equality of men and women."⁴² It carefully elucidates how UN-Women intends to leverage its comparative and collaborative advantages to achieve results for women and girls. The Strategic Plan creates five key outcomes that cut across multiple Sustainable Development Goals. The first outcome is to strengthen and implement a comprehensive and dynamic set of global norms, policies and standards on gender equality and the empowerment of all women and girls. The second will see women lead, participate in and benefit equip from governance systems; this outcome will contribute to SDGs 1, 2, 3, 5, 10, 16, and 17. The third outcome will see women have safe and fair work, a fair income and economic security. The fourth outcome will see all women and girls live a life free from all forms of violence. The fifth outcome will see women and girls increase their influence in peacekeeping, conflict management and climate action.⁴³

UN-Women held its first regular session in 2019 on 12 February where the year's Board was announced.⁴⁴ The meeting also announced the Bureau's intention to increase efficiency and effect long-lasting change by enabling women to realize their rights and change their lives.⁴⁵ UN-Women also participated in the joint meeting of the executive boards of UN Development Program (UNDP)/UN Population Fund (UNFPA)/UN Office for Project Services (UNOPS), UN Children's Fund (UNICEF), UN-Women and the World Food Program on 29 May 2019.⁴⁶ The meeting emphasized harassment, abuse of authority and discrimination, and sexual exploitation. Administrative matters such as the implementation of the UN Development System (UNDS) reform and innovative funding for the SDGs was also discussed.⁴⁷ UN-Women's Executive Board held its annual session on 18-20 June 2019.⁴⁸ Progress made in UN-Women's five areas of focus in the Strategic Plan,⁴⁹ preparations for the Beijing +25 anniversary events and the launch of a new campaign, "Generation Equality" were discussed.⁵⁰ UN-Women also announced the release of a flagship report, Progress of the World's Women, on 25 June 2019 which focused on Families in a Changing World.⁵¹ The Executive Board also reviewed the report on the corporate evaluation of UN-Women's contribution to governance and national planning.⁵² UN-Women's second regular session held on 9-10 September 2019.⁵³ During the session, updates on the implementation of General Assembly *Resolution 72/279* made during the

⁴¹ UN-Women, "UN-Women Strategic Plan 2018-2021".

⁴² UN-Women, "UN-Women Strategic Plan 2014-2017".

⁴³ *Ibid.*

⁴⁴ UN-Women, "First Regular Session 2019".

⁴⁵ UN-Women, "First Regular Session; Statement by the Under-Secretary-General/Executive Director of UN-Women".

⁴⁶ UN-Women, "Joint Meeting of the Executive Boards 2019".

⁴⁷ UN-Women, "Update on the Implementation of General Assembly Resolution 72/279 on Repositioning of the United Nations Development System".

⁴⁸ UN-Women, "Annual Session 2019".

⁴⁹ UN-Women, "Report on Progress Made on Strategic Plan 2014-2017".

⁵⁰ UN-Women, "Statement by the Under-Secretary-General/Executive Director".

⁵¹ *Ibid.*

⁵² UN-Women, "Corporate Evaluation of UN-Women's Contribution to Political Participation and Leadership".

⁵³ UN-Women, "Second Regular Session".

2019 annual session, and updates on the working methods of the executive boards were reviewed.⁵⁴

UN-Women has announced six themes to anchor the generation equality forums to be held in 2020.⁵⁵ They are gender-based violence, economic justice and rights, bodily autonomy and sexual and reproductive rights, feminist action for climate justice, technology innovation for gender equality and feminist movements and leadership.⁵⁶

Conclusion

UN-Women is geared towards the achievement of gender equality and works with government and civil societies to ensure that standards are effectively met for the benefit of women and children.⁵⁷ UN-Women's directive to achieve gender equality, women empowerment and uphold women's rights has been largely achieved by engaging in reforms to ensure that they strengthen system coherence in supporting gender equality and women empowerment, assisting Member States and coordinating the UN system.⁵⁸ Current priorities for UN-Women include; work on the Strategic Plan 2018-2021;⁵⁹ work targeted at mitigating harassment, abuse of authority and discrimination, and sexual exploitation;⁶⁰ and preparations for the Beijing +25 event.⁶¹

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This document contains a proposal for a composite entity which would later be called UN-Women. Delegates need to read the document to gain deeper insight into the history, functions and structure of UN-Women.

General Assembly Resolution 64/289 on system-wide coherence (A/RES/64/289). Retrieved 6 January 2020 from: <https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/WPS%20A%20RES%2064%20289.pdf>

This document contains the structure and governance of the UN-Women. Delegates are encouraged to read in order to familiarize themselves with the workings of the committee.

UN Committee on the Elimination of Discrimination Against Women (CEDAW), CEDAW General Recommendation No. 24: Article 12 of the Convention (Women and Health), 1999,

⁵⁴ *Ibid.*

⁵⁵ The UN Unveils 6 Themes in a Big Year Pushing for Women's Rights January 20, 2020 by StéphanieFillion.

⁵⁶ *Ibid.*

⁵⁷ UN-Women, "About"

⁵⁸ *Ibid.*

⁵⁹ UN-Women, "Report on Progress Made on Strategic Plan 2014-2017".

⁶⁰ UN-Women, "Joint Meeting of the Executive Boards 2019".

⁶¹ UN-Women, "Statement by the Under-Secretary-General/Executive Director".

A/54/38/Rev.1, chap. I. Retrieved 28 December 2019 from:
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This document is the principal document on women’s rights discourse around the world. The document establishes rights which must be guaranteed to eradicate gender discrimination. Delegates are encouraged to read through thoroughly in order to understand all the rights provided within.

UN-Women, “UN-Women Strategic Plan 2018-2021”. Retrieved 15 January 2020 from:
<https://www.unwomen.org/en/digital-library/publications/2017/8/un-women-strategic-plan-2018-2021>

This document contains UN-Women’s plans from 2018 to 2021. Delegates need to read this document for their recommendations and resolutions to be in line with the plan of the committee.

UN-Women, *Annual Report 2018-2019*. Retrieved 16 January 2020 from:
<https://www.unwomen.org/en/digital-library/publications/2019/06/annual-report-2018-2019>

This document contains a report of all the activities that the UN-Women participated in or supported. It includes how the finances were handled and how many people were reached. Delegates are advised to read this for a better understanding of the mandate and operations of the committee.

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UN-Women: The United Nations Entity for Gender Equality and the Empowerment of Women. Retrieved 17 December 2019 from: <https://www.un.org/youthenvoy/2013/07/un-women-the-united-nations-entity-for-gender-equality-and-the-empowerment-of-women/>

I. Addressing Period Poverty and Stigma

“One day I was walking to get food and my pad fell out. My fellow students laughed. I was so ashamed. I ran home and got another pad. I didn’t go to school for two days. I was scared.” –

Carol from Uganda⁶²

Introduction

A menstrual period is a monthly bleeding that occurs as a part of a woman’s or person with uterus’ monthly cycle during their reproductive years.⁶³ Menstrual periods last for an average of two to five days.⁶⁴ About 800 million people menstruate daily.⁶⁵ A period is occasioned by mood swings, dysmenorrhea, diarrhoea, back pains, lethargy and nausea.⁶⁶ However, period pains exceed nausea and dysmenorrhea. Religious and cultural traditions perpetuate myths about menstrual periods. Some of the myths include; periods mean uncleanliness, that people on their period rot food, tampons dis-virgin and a host of others. Women are also subjected to mistreatment during their period.⁶⁷ They are excluded from public spaces, subjected to solitary confinement, banned from touching food or other members of society, subjected to forced bathing or prevented from bathing.⁶⁸ Due to the secrecy around menstrual periods, 66% of girls know nothing about periods;⁶⁹ the stigma also causes periods to be called code names such as “aunty flo”, “bloody Mary”, “the curse” amongst others.⁷⁰ Furthermore, girls are often withdrawn from school once they start menstruating because menstrual periods are seen as a sign of maturity for marriage.⁷¹

Over the years, women have suffered from sexist oppression and this has led to the feminization of poverty.⁷² The implication of this is that poor women and girls suffer from period poverty. According to Global Citizen, “period poverty is the lack of access to sanitary products, menstrual hygiene education, toilets, handwashing facilities, and, or, waste management.”⁷³ Inability to afford sanitary products forces girls and women to use newspapers, rags and socks to absorb blood flow which is detrimental to reproductive health.⁷⁴ It is estimated that 500 million women and girls suffer from period poverty.⁷⁵ In fact, some studies conducted have also shown that some women engage in transactional

⁶² Compassion United Kingdom, *Period Poverty: Tackling the Menstruation Taboo*, 28 May 2019.

⁶³ UNFPA, “Menstruation and human rights - Frequently asked questions”.

⁶⁴ *Ibid.*

⁶⁵ Erica Sanchez and Leah Rodriguez, “Period Poverty, Everything You Need to Know”.

⁶⁶ UNFPA, “Menstruation and human rights - Frequently asked questions”.

⁶⁷ *Ibid.*

⁶⁸ *Ibid.*

⁶⁹ Audrey Kettaneh, Scott Pulizzi and Marina Todesco “Puberty Education and Menstrual Hygiene Management by UNESCO”, 2014.

⁷⁰ UN-Women, “Infographic; End the Stigma Period”.

⁷¹ J.R. Glynn, N. Kayuni, S. Floyd, E. Banda, Francis M. Chizororo, C. Tanton, A. Molesworth, J. Hemmings, A.C. Crampin and N. French, “Age at menarche, schooling, and sexual debut in Northern Malawi” (2010) 5(12) PLoS One, p.e15334.

⁷² John Hendra, “Feminization of Poverty in Rural Areas” 13 March 2014.

⁷³ Erica Sanchez and Leah Rodriguez, “Period Poverty, Everything You Need to Know”.

⁷⁴ *Ibid.*

⁷⁵ International Federation of Gynaecology and Obstetrics, “Month after month: Period Poverty”, 22 February 2019

sex to afford or in exchange for sanitary products.⁷⁶ This exposes them to abuse as well as sexually transmitted diseases. Girls and women with disabilities and special needs face further challenges while trying to access toilets with water and materials to manage their periods.⁷⁷ Teenage girls and young women have an arduous time managing their periods at educational institutions due to the lack of sufficient water and sanitary facilities. Inadequate facilities can cause students to forgo school for the duration of their period.⁷⁸ Period poverty also contributes to the wage gap by causing women to miss work days and forfeit payment.

The issue of the environment also comes into play in ensuring access to sanitary products and clean water for girls and women. Billions of sanitary pads and tampons are disposed of yearly.⁷⁹ There is a need for sustainable solutions to be sought in order to combat climate change. Period poverty, stigma and access to water, sanitation and hygiene have come to the forefront of global discourse in recent years. Good menstrual hygiene management is necessary to fulfil the right to education, work, health and dignity of girls and women. The Human Rights Council recommends safe, adequate and affordable access to water, sanitation and hygiene, as a means to ensure that women and girls can enjoy their right to have and make choices.⁸⁰

International and Regional Framework

“Period Poverty” and “Stigma” are two topics with far-reaching effects on the rights of girls and women. Firstly, it directly impacts gender equality as the stigma reinforces discriminatory practices.⁸¹ Injustices related to menstruation directly impact access to education, healthcare and ultimately gender equality. The *Convention on the Elimination of Discrimination Against Women (CEDAW)*⁸² is a central document to the achievement of gender equality adopted in 1979 often described as the international bill of rights for women. *Article 2 of the CEDAW* provides that states parties must condemn discrimination against women in all its forms. *Article 2f* states that State Parties should take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women.

Also, the *Convention on the Rights of a Child (CRC)*⁸³ is the central and most widely ratified document protecting the rights and interests of children. *Article 2 of the CRC* also provides

⁷⁶ P.A. Phillips-Howard, G. Otieno, B. Burmen, F. Otieno, F. Odongo, C. Odour, E. Nyothach, N. Amek, E. Zielinski Gutierrez, F. Odhiambo and C. Zeh, “Menstrual needs and associations with sexual and reproductive risks in rural Kenyan females: a cross-sectional behavioural survey linked with HIV prevalence. *Journal of women’s health*” (2015) 24(10), pp. 801-811.

⁷⁷ UNICEF, “Fast Facts: Nine things you didn't know about menstruation”.

⁷⁸ UN News, “Break taboo around menstruation, act to end ‘disempowering’ discrimination, say UN experts”.

⁷⁹ Swati Singh Sambyal, Sonia Henam, FiolaTarian, “Is Green Menstruation Possible?” 29 May 2019.

⁸⁰ UN Human Rights Council, Report of the Special Rapporteur on the human right to safe drinking water and sanitation, 27 July 2016, A/HRC/33/49.

⁸¹ UNFPA, “Menstruation and human rights - Frequently asked questions”.

⁸² Convention on the Elimination of All Forms of Discrimination Against Women, 18 December 1979, UNTS vol. 1249, p. 13.

⁸³ Convention on the Rights of the Child, 20 November 1989, UNTS vol. 1577, p. 3.

that State Parties should take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis.

Furthermore, the Human Rights Committee General Comment 28⁸⁴ on equality of men and women notes that states “should ensure that traditional, historical, religious or cultural attitudes are not used to justify violations of women’s right to equality before the law and to equal enjoyment of all Covenant rights.⁸⁵ In addition to this, lack of access to sanitary products and period stigma gravely affects the right to human dignity. Using unsanitary items to absorb bleeding and suffering shame and exclusion erodes the right to dignity. The right to human dignity is provided for in *Article 7 of the International Convention on Civil and Political Rights* (ICCPR).⁸⁶ The realization of the right to an adequate standard of health and well-being is inextricably linked to eradicating period poverty and stigma. Stigma prevents timely diagnosis of women’s conditions relating to periods and period poverty has physical and physiological effects. The human right to health is guaranteed in *Article 12 of the International Convention on Economic Social and Cultural Rights* (ICESCR)⁸⁷ and, specifically for women, in *Article 11 of the CEDAW*. The UN Committee on Economic, Social and Cultural Rights, General Comment No. 14, the Right to the Highest Attainable Standard of Health provides that sexual and health education are integral to attaining the right to health.⁸⁸

Furthermore, the issue of period poverty and stigma also affects the right to education and work. The right to work is guaranteed in *Article 6 of the ICESCR*. *Article 7 of the ICESCR* guarantees the right to just and favourable conditions of work, including safe and healthy working conditions. *Article 11 of the CEDAW* provides for the elimination of discrimination against women in the field of employment. The right to education is provided for in *Article 13 of the ICESCR*, *Article 10 of the CEDAW*, *Article 28, 29 of the CRC*, and *Article 26 of the Universal Declaration of Human Rights* (UDHR).⁸⁹ Poor and unsafe wash facilities to manage menstruation and inaccessible medication to manage menstrual pain contribute to school absenteeism and negative educational outcomes.⁹⁰ Working-class women who are unable to access menstrual products are forced to miss work and consequently pay. “Menstruation-related needs, such as bathroom breaks, may be penalized, leading to unequal working conditions”.⁹¹ The State has a role to play to ensure that workplaces

⁸⁴ ICCPR General Comment No. 28: Article 3 (The Equality of Rights Between Men and Women), 29 March 2000, CCPR/C/21/Rev.1/Add.10.

⁸⁵ Article 3, General Comment 28, Equality of rights between men and women, U.N. Doc.CCPR/C/21/Rev.1/Add.10 para. 5 (2000).

⁸⁶ International Covenant on Civil and Political Rights, 16 December 1966, UNTS vol. 999, p. 171.

⁸⁷ International Covenant on Economic, Social and Cultural Rights, 16 December 1966, UNTS vol. 993, p. 3.

⁸⁸ See UN Committee on Economic, Social and Cultural Rights, General Comment No. 14, The Right to the Highest Attainable Standard of Health, E/c.12/2000/4 (2000) para. 11.

⁸⁹ Universal Declaration of Human Rights, adopted by the General Assembly Resolution 217 A(III) of 10 December 1948.

⁹⁰ UNFPA, “Menstruation and human rights - Frequently asked questions”.

⁹¹ *Ibid.*

provide safe and healthy working conditions, which meet women's needs during menstruation.⁹²

As stated above, a component of period poverty is the lack of access to clean water and sanitation. This right is provided for in *Articles 11, 12 and 16 of the ICESCR*. In General Assembly *Resolution 64/292* (2010), the General Assembly recognized the human right to safe drinking water and sanitation as essential for the full enjoyment of the right to life and all other human rights.⁹³

In 2014 the UN Human Rights Council acknowledged, for the first time, that lack of menstrual health management and stigma associated with menstruation both have a negative impact on gender equality.⁹⁴ The resolution stated that it was necessary to:

address the widespread stigma and shame surrounding menstruation and menstrual hygiene by ensuring access to factual information thereon, addressing the negative social norms around the issue and ensuring universal access to hygienic products and gender-sensitive facilities, including disposal options for menstrual products.

This was reiterated by the Human Right Council Resolution on Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development.⁹⁵

The ICESCR as the principal document on social and economic rights and it establishes the rights to adequate standard living and the highest standard of health in Articles 11 and 12. General Comment 15, which elaborates on the right to water, states that limited natural resource and a public good fundamental for life and health. The right to water is also inextricably linked to the right to the highest attainable standard of health.⁹⁶ It further mentions that for the obligation to facilitate which requires the State to take positive measures to assist individuals and communities to enjoy the right. In addition, water must be available for personal hygiene and access to water must be ensured in a non-discriminatory basis, especially for marginalized groups.

Stigmatization in the realization of the human rights to water and sanitation was addressed in the Report of the Special Rapporteur on the human right to safe drinking

⁹² I. T. Winkler and V. Road, "Taking the bloody linen out of the closet: Menstrual hygiene as a priority for achieving gender equality" 21(1) *Cardozo Journal of Law & Gender*.

⁹³ The human right to water and sanitation: resolution / adopted by the General Assembly, 3 August 2010, A/RES/64/292.

⁹⁴ UN Human Rights Council, 2014, Resolution 27/7, "The Human Right to Safe Drinking Water and Sanitation", A/HRC/RES/27/7.

⁹⁵ UN Human Rights Council, Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development, United Nations High Commissioner for Human Rights, 17 November 2008, A/HRC/10/24.

⁹⁶ UN Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 15: The Right to Water (Articles 11 and 12 of the ICESCR), 20 January 2003, E/C.12/2002/11, paras. 1, 12, 25 and 37.

water and sanitation in 2012.⁹⁷ The Report stated that women and girls were often prevented from using water and hygiene facilities due to stigma around periods. The Report of the Special Rapporteur on the human right to safe drinking water and sanitation⁹⁸ presented before the Human Rights Council in 2013 expounds on the successes and failures of the international efforts to provide clean and safe water and sanitation. The report notes the pattern of neglect for the marginalized which includes women. The report states in that neglecting the needs of marginalized people violates the right to equality and non-discrimination. Furthermore, the report of the Special Rapporteur on the human right to safe drinking water and sanitation addendum-Mission to Kenya⁹⁹ discovered the marginalization girls and women face in the bid to access water. It states that women and girls suffer the lack of sanitation and hygiene services differently because of menstrual needs and a requirement of privacy and safety. Poorer women were reported to have to re-use pads during their periods and school girls often missed five school days in a month. Water scarcity also prevented the use of reusable napkins. Furthermore, the report of the Special Rapporteur on the human right to safe drinking water and sanitation was presented before the Human Rights Council in 2016.¹⁰⁰ It addressed the violence transgender and gender non-conforming people face while trying to access hygiene facilities and discussed the lack of access to water during menstruation, the physical, sexual and psychosocial stress women endure while trying to access water. The report also emphasizes the need for health education and access to sanitary products. Report of the Special Rapporteur on the human right to safe drinking water and sanitation presented to the Human Rights Council in 2018¹⁰¹ is focused on accountability of all international, regional and state actors in their provision of clean water and sanitation.

The *Ngor Declaration on Sanitation and Hygiene*,¹⁰² adopted at the fourth African Conference on Sanitation and Hygiene, in 2015, Conference on Sanitation, WHO makes detailed reference to Menstrual Hygiene Management (MHM) in its 2009 guidelines for Water, Sanitation and Hygiene in schools.¹⁰³ In 2009, the UN Educational Scientific and Cultural Organisation (UNESCO) published guidelines on sex education, including issues of MHM, and updated the guidelines in 2018, with United Nations Population Fund (UNFPA), Joint United Nations Programme on HIV and AIDS (UNAIDS), World Health Organisation (WHO), UN Children's Emergency Fund (UNICEF) and UN-Women as co-sponsors of these

⁹⁷ Report of the Special Rapporteur on the human right to safe drinking water and sanitation, Catarina de Albuquerque U.N. Doc. A/HRC/21/42 2 July 2012 paras. 22 and 25.

⁹⁸ UN Human Rights Council, Report of the Special Rapporteur on the human right to safe drinking water and sanitation, Addendum: Mission to Thailand (1-8 February 2013), 16 July 2013, A/HRC/24/44/Add.3 para. 52.

⁹⁹ *Ibid*, para.80.

¹⁰⁰ UN Human Rights Council, Report of the Special Rapporteur on the human right to safe drinking water and sanitation, 27 July 2016, A/HRC/33/49, paras. 9,13,14,15,16,17,18,19,20,21,22,23,24,25,26,27,28,29,30,31.

¹⁰¹ Report of the Special Rapporteur on the human right to safe drinking water and sanitation A/73/162 16 July 2018.

¹⁰² *N'gor Declaration on Sanitation and Hygiene*, adopted by the African Ministers responsible for sanitation and hygiene on 27 May 2015.

¹⁰³ John Adams, Jamie Bartram, Yves Chartier, Jackie Sims, Water, sanitation and hygiene standards for schools in low-cost settings, 2008.

guidelines. In 2014, UNESCO also adopted operational guidelines for education on puberty with a specific section on MHM.¹⁰⁴

Role of the International System

Good Menstrual Hygiene Management requires comprehensive sex education, access to sanitary products, proper waste disposal, clean water, toilets and soap.¹⁰⁵ Menstrual Hygiene Management (MHM) is also influenced by systemic factors such as positive social norms, informed professionals, and health services.¹⁰⁶ Homogenizing menstrual health and management into the UN's programs for women is an important step in achieving Goals 3 (Good Health and Well-Being), 4 (Quality Education), 5 (Gender Equality), 6 (Clean Water and Sanitation), 8 (Decent Work and Economic Growth) and 12 (Responsible Consumption and Production).

In 2018, 310 non-governmental organizations educated 27.2 million girls across 134 countries on Menstrual Health Management.¹⁰⁷ The Administrative Staff College of India (ASCI), partnered with Water Sanitation, and Hygiene United (WASH United) to implement the MHM education guide with which 24,355 girls were educated in menstrual hygiene management in 2018.¹⁰⁸ ZanaAfrica concluded its Nia Project in 218 where 35,600 pads were distributed across 70 school clubs across Africa.¹⁰⁹ The Office of the UN High Commissioner for Refugees (UNHCR) reached 510,000 girls and women who are refugees with free sanitary products and MHM education.¹¹⁰ Also, WASH United and Slum Soccer, India developed a low cost and easy-to-use menstrual health management guide which uses storytelling and games to combat period stigma.¹¹¹ The Good Menstrual Health Management Project as it was named took off in 2018, the girls who were involved took part in ice-breaking football life skills lessons, trust-building football-based MHM games, and the first menstrual health football tournament.¹¹²

To stop the Nepalese Chhaupadi practice of isolating menstruating girls and women, which has been outlawed since 2005 and in 2010. The National Plan of Action against Gender-Based Violence in Nepal has partnered with the UN Trust Fund to End Violence to end the stigma attached to menstruation in 2015.¹¹³ The program uses the youth, traditional leaders and local organisations to destroy the myths related to period stigma. Between 2015 and 2017, it trained 131 youth educators and has reached have reached over 20,000

¹⁰⁴ Good policy and practice in health education booklet 9: Puberty Education and Menstrual Hygiene Management. Paris, UNESCO, 2014, 59p.

¹⁰⁵ Menstrual Hygiene Day, "Menstruation matters to Everyone, Everywhere".

¹⁰⁶ *Ibid.*

¹⁰⁷ Menstrual Hygiene Day, Action for MH Education.

¹⁰⁸ *Ibid.*

¹⁰⁹ Zana Africa Foundation, Act4MHEducation.

¹¹⁰ Menstrual Hygiene Day, Action for MH Education.

¹¹¹ Menstrual Hygiene Day, Action 4MHEducation, Slum Soccer.

¹¹² *Ibid.*

¹¹³ UN-Women, "Abolishing Chhaupadi, Breaking the Stigma of Menstruation in Rural Nepal" 2017.

girls and women, and 15,000 boys and men with its resources.¹¹⁴ Due to the program, the prevalence of Chhaupadi practice has dropped from the 20 percent it was before the program began to five percent.

Additionally, since 1988, UNFPA has been distributing dignity kits to girls and women in areas suffering humanitarian crisis. They often contain crucial MHM materials including soap, culturally appropriate menstrual hygiene supplies, and clothing, which are vital to maintaining personal dignity and mobility.¹¹⁵ In 2017, 484,000 dignity kits were distributed in 18 countries.¹¹⁶ UNFPA improves toilet security by providing flashlights and installing better lights in the restrooms.¹¹⁷ Through the UNFPA-UNICEF Global Programme to Accelerate an End to Child Marriage, young girls are being taught about menstrual health management and reproductive health, they learn about their bodies and their rights.¹¹⁸ At one UNFPA-supported programme in the Rohingya refugee camps of Cox's Bazar, Bangladesh, it was observed that girls are eager to learn about menstruation management.¹¹⁹ The Salima District Council provides materials needed with funding from UNFPA through the Joint UN Programme on Girls Education.¹²⁰ The programme also runs the training sessions where girls learn how to make the pads.

Easy access WASH facilities allow parents send their daughters to school in Gora GaladimaKambara Primary school in Kano, Nigeria¹²¹ and this is possible because of the innovative and sustainable water and sanitation effort provided by UNICEF. The students are taught about hygiene and proper use of the facilities. A farm was also cultivated, the proceeds of which will be used to maintain the facilities.

UNICEF-supported programmes have achieved menstrual health and hygiene education for than 10,000 boys and girls in Bolivia. Community-based radio stations and channels in Niger have been used to debate and discuss menstrual health, including sketches and songs in French and Hausa. Also, UNICEF worked with the Indonesian Council of Islamic Scholars in Indonesia, utilised the religious teachings to guide MHM, share knowledge and discourage period stigma.¹²² The Joint Monitoring Programme for Water Supply and Sanitation has established an extensive global database and has been instrumental in developing standards applicable globally to monitor and benchmark progress.¹²³

ActionAid project in Malawi is teaching mothers in communities to make reusable pads, benefiting both menstruating girls and women.¹²⁴ The Sanitary Aid Initiative is addressing

¹¹⁴ *Ibid.*

¹¹⁵ UNFPA "Humanitarian Emergencies".

¹¹⁶ UNFPA, "Menstruation and human rights - Frequently asked questions".

¹¹⁷ *Ibid.*

¹¹⁸ UNFPA, "Menstruation is not a girls' or women's issue – it's a human rights issue", 28 May 2019.

¹¹⁹ *Ibid.*

¹²⁰ UNFPA, "Periods not a problem thanks to pad-making club in Malawi", 12 August 2016.

¹²¹ O. Akingbulu, "Innovative water and sanitation services promote school attendance for girls" August 2017.

¹²² *Ibid.*

¹²³ WHO/UNICEF, "Joint Monitoring Programme for Water Supply| Sanitation and Hygiene".

¹²⁴ East Africa Grant Partners - Pangea Giving | Pangea Giving [Internet]. 2017.

the needs of 65% of the Nigerian female population who do not have access to sanitary pads.¹²⁵ The organisation aims to provide free sanitary pads and other sanitary products to internally displaced girls and girls from low-income families.

Physical Health Risks of Period Poverty and Stigma

As previously stated, good MHM requires comprehensive sex education, access to sanitary products, proper waste disposal, clean water, toilets and soap.¹²⁶ The quality of menstrual health has overtime been determined by membership of socioeconomic class which unfortunately affects access to sanitary products, clean water, and access to toilets. Menstrual health is also determined by local practices, social norms and access to sex and health education. Vulnerable women have no other choice than to use unhygienic options which render them susceptible to infections and put their reproductive and general health at risk.¹²⁷ Unhygienic Menstrual Health Management practices increase a woman's exposure to urogenital infections, such as Bacterial Vaginosis (BV), Reproductive Tract Infections (RTI) and Urinary Tract Infections (UTI). Young girls also face having to perform transactional sex with men who provide them with sanitary pads in exchange for sexual intercourse which often leads to pregnancy or the transmission of STIs.¹²⁸ Some studies from Kenya find that schoolgirls engage in transactional sex to pay for menstrual products, increasing the risk of contracting sexually transmitted diseases and getting an unintended pregnancy.¹²⁹ Also, prolonged use of the same pads and rolling up pads to insert in the vagina may also increase the risk of infection.¹³⁰

These infections can lead to itching of the vagina, inflammation with or without discharge and major discomfort to the girls/women. Treating or managing these infections would mean the provision of medical facilities and medications which most girls in the rural areas may not be able to afford. "The human right to health not only entitles everyone to have access to healthcare and medicine". It also includes an entitlement to the so-called "underlying determinants of health", which include having "access to health-related education and information, including on sexual and reproductive health".¹³¹

In rural Nepal, menstruating girls are banished to sheds, where they risk illnesses from the cold or getting attacked by wild animals.¹³² These women are prevented from using the public sources of water to bathe, they are denied nutritious food and exposed to sexual violence. The practice was outlawed in 2005 but it persists.

¹²⁵ Sanitary Aid, "About".

¹²⁶ Menstrual Hygiene Day, "Menstruation matters to Everyone, Everywhere".

¹²⁷ UN News, "Break taboo around menstruation, act to end 'disempowering' discrimination, say UN experts", 5 March 2019.

¹²⁸ Radhika Sanghani, "I Had Sex to Pay for Sanitary Pads", Telegraph, 6 July 2017.

¹²⁹ P.A. Phillips-Howard, G. Otieno, B. Burmen, F. Otieno, F. Odongo, C. Odour, E. Nyothach, N. Amek, E. Zielinski Gutierrez, F. Odhiambo and C. Zeh, "Menstrual needs and associations with sexual and reproductive risks in rural Kenyan females: a cross-sectional behavioural survey linked with HIV prevalence" (2015) 24(10) *Journal of women's health*, pp. 801-811.

¹³⁰ S. House, "Menstrual hygiene matters. A resource for improving menstrual hygiene around the world" (2012: London, WaterAid).

¹³¹ UN Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 14: The Right to the Highest Attainable Standard of Health (Article 12 of the ICESCR), 11 August 2000, E/C.12/2000/4, para.11.

¹³² UN-Women, Abolishing Chhaupadi, Breaking the Stigma of Menstruation in Rural Nepal, 2017.

Furthermore, the stigma attached to periods has far-reaching effects, as young girls are often deemed as reproductively mature for marriage once they begin to menstruate. This often leads to early and forced marriage as the average age for menarche is 12 year old. For example, a study conducted in Malawi revealed that the average age at marriage for girls reaching menarche before age 14 compared to girls reaching menarche at age 16 or older was lower by 3.4 years (age 16.9 and age 20.3 respectively).¹³³ While married, young girls often face immense pressure to prove reproductive ability which often leads to health complications such as Obstetric Fistula. Through the UNFPA-UNICEF Global Programme to Accelerate an End to Child Marriage, young girls are learning about sexual health and dispelling the myth that periods mean readiness for marriage.¹³⁴

Health providers often dismiss illnesses related to reproduction, ignoring crippling illnesses such as endometriosis and dysmenorrhea. Delayed diagnosis often results in compromised fertility. Many women and girls in India suffer from period stigma. They are not allowed to play sports or participate in religious and social gatherings. It has been revealed by Indian media that in the state of Maharashtra, thousands of young women have undergone surgical procedures to remove their wombs in the past three years in order to get work as sugar cane harvesters.¹³⁵

In conclusion, the right to health thereby aims to ensure that each person has the means to take care of his or her own health and, when needed, to seek medical assistance.

Psychological Health Risks of Period Poverty and Stigma

According to an international survey conducted in 2015 by the period app, “Clue” in conjunction with the International Women’s Health Coalition, there are 5,000 euphemisms used around the world for the words “menstruation” or “period”.¹³⁶ Religious and cultural customs which ostracize menstruating women and girls often result in psychosocial impairment. Health risks associated with bad menstrual hygiene can then lead to psychological effects. Social attitudes towards menstruation go from outright revulsion to embarrassment. For example, the Mae Enga tribe of New Guinea believed menstrual blood could sicken men if they came in contact with it.¹³⁷ And the Yupit people thought that hunting clothing and equipment could be affected by a menstruating woman’s odour. Menstruating girls and women in Pakistan are commonly labelled as dirty and socially ostracized.¹³⁸ Girls and women are often prevented from taking part in religious, cultural and other forms of social engagements. For example, the removal of a ban which prevented women of menstruating age to enter a Hindu temple was greatly protested.¹³⁹

¹³³ Glynn, J.R., Kayuni, N., Floyd, S., Banda, E., Francis Chizororo, M., Tanton, C., Molesworth, A., Hemmings, J., Crampin, A.C. and French, N., 2010. Age at menarche, schooling, and sexual debut in northern Malawi. *PLoS One*, 5(12), p.e15334.

¹³⁴ UNFPA-UNICEF, “Global Programme to Accelerate Action to End Child Marriage”.

¹³⁵ Geeta Pandey, “Why are menstruating women in India removing their wombs?” 5 July 2019.

¹³⁶ Alex Whiting, “Women use 5,000 euphemisms to ease the pain of talking about periods” 1 March 2016.

¹³⁷ Tess Thomas, “Myths about menstruation that prevent girls from going to school”, 16 October 2019.

¹³⁸ *Ibid.*

¹³⁹ Reuters, “Indian Hindu temple board reverses opposition to entry of women”, 6 February 2019.

In some customs, menstruating women and girls are confined to an outhouse, living there until their menstrual period ends. This is a form of isolation which amounts to emotional and mental abuse.

According to the International Labour Organization (ILO), “adequate water and sanitation facilities in workplaces are necessary components of the right to safe and healthy working conditions”.¹⁴⁰ The UN Committee on Economic, Social and Cultural Rights (CESCR) has specifically clarified that it is essential that these facilities “meet women’s specific hygiene needs”.¹⁴¹ The lack of access to sanitary products causes schoolgirls to miss on an average, one week of school, this is the same for women who cannot afford sanitary products. This affects women’s economic participation and expands the wage gap, undermining gender equality. A report from Uganda reveals the fear of teasing by classmates as a reason for absenteeism.¹⁴² It is also mentally distressing as it increases anxiety, alienation from peer groups and also causes poor social integration. In September 2019, a 14 year old in Kenya killed herself as a result of distress from period shaming.¹⁴³

Subsequently, period poverty also causes feelings of shame and helplessness which may lead to anxiety and/or depression. Women who are unable to afford pads have to miss days of work, further driving them into financial austerity. In a survey conducted by Always, of those who have experienced period poverty, nearly two-thirds said they lack confidence because of bullies at school and 39 percent reported experiencing anxiety and depression.¹⁴⁴ Girls who are forced into marriage due to the myth that menstruation indicates readiness for marriage also suffer from anxiety, depression and suicidal thoughts.¹⁴⁵

When women and girls are unaware of proper MHM practices they engage in using unhygienic things to absorb blood thereby putting them at risk of negative health impacts or – in other words – may not fully enjoy their right to health which may cause other psychological effects.

Addressing the Taboos Associated with Period Poverty through Education

Most women and girls will menstruate on average every 28 days for about 5 days which is a completely normal biological process.¹⁴⁶ Yet menstruation is steeped in silence, myths, taboos and even stigma. “Studies suggest a large percent of girls know nothing about

¹⁴⁰ ILO Convention No. 161 of 1985 on Occupational Health Services, article 5.

¹⁴¹ Committee on Economic, Social and Cultural Rights, General Comment No. 23 on the Right to just and favourable conditions of work, para. 30, 2016.

¹⁴² Ministry of Health Uganda, UNICEF, WHO, UN-WOMEN, UNFPA, UNAIDS, “Adolescent Health Risk Behaviours in Uganda: A National Cross-sectional Survey” 2016.

¹⁴³ Ginger Hervey, “Kenyan schoolgirl, 14, kills herself after alleged period shaming by teacher” 13 September 2019.

¹⁴⁴ Emma Elsworth, “Women who experience period poverty more likely to suffer anxiety or depression, study claims”, 18 July 2018.

¹⁴⁵ Nadia Saleem, Rachael Clawson, Mandy Sanghera and Geoff Marston, “Forced marriage: implications for mental health and intellectual available” (2013) 19(2) *Advances in Psychiatric Treatment*.

¹⁴⁶ UNFPA, “Menstruation and human rights - Frequently asked questions”.

menstruation until confronted with their first menstruation event, making it a negative and sometimes even traumatic experience”.¹⁴⁷

Women and girls the world over face numerous challenges in managing their menstruation as a normal and dignifying experience in their lives. Persistent harmful socio-cultural norms, stigma, and negative perceptions continue to harm women in many ways, often leading to social exclusion and discrimination of women and girls.¹⁴⁸

Currently, taboos around menstruation mean that many governments are ignorant to how women and girls manage their menstruation, and so lack baseline evidence for understanding the impact of menstruation on the enjoyment of women and girls’ human rights, and for monitoring successful interventions.¹⁴⁹ The myths and taboos surrounding menstruation have been present in human culture for thousands of years. The idea that a menstruating woman is contaminated is found within the Old Testament, which states that women on their periods should not be touched or touch items lest they become unclean.¹⁵⁰ The patriarchal custom of overriding the agency and mobility of menstruating girls and women is dehumanizing and disempowering. Due to stigma and a lack of sexual education, menstruation knowledge remains limited leaving many girls with negative and ambivalent feelings and experiencing psycho-social stress, which also impacts their ability to learn, stated by the experts.¹⁵¹ According to the humanitarian organization Plan International, 28% of girls in Uganda miss school when they are menstruating, and 70% of girls in Malawi miss one to three days of school a month because of this.¹⁵² This is prevalent all over the world due to period stigma and poverty. According to the UN Girls Education Initiative, “a girl who misses school because of her period is estimated to miss an average of two and a half weeks of school each year”. Other estimates say girls may miss up to 20% of the school year because of their periods.¹⁵³

Period stigma can only be addressed with education. Moreover, it is not only girls and boys, but also teachers, government officials, community-based health workers and development staff, who must be informed on menstruation and its management.¹⁵⁴ Period stigma and negative perceptions also lie within community leaders, teachers and others who implement MHM interventions.¹⁵⁵

It is important to state, that health and sexual education is a right. As stated earlier, the right to health includes an entitlement to the so-called “underlying determinants of

¹⁴⁷ Mooijman, A. et al. 2010. Strengthening Water, Sanitation and Hygiene in Schools. A WASH guidance manual with a focus on South Asia. IRC, the Netherlands.

¹⁴⁸ UN News, “Break taboo around menstruation, act to end ‘disempowering’ discrimination, say UN experts”, 5 March 2019.

¹⁴⁹ Wash United, “Understanding Menstrual Hygiene Management & Human Rights”, 1 August 2017.

¹⁵⁰ Leviticus 18:19.

¹⁵¹ UN News, “Break taboo around menstruation, act to end ‘disempowering’ discrimination”, say UN experts”, 5 March 2019.

¹⁵² Martha Canning, “Menstrual Health and the Problem with Menstrual Stigma”, September 2019.

¹⁵³ Phineas Rueckert, “Why Periods Are Keeping Girls Out of School — and How You Can Help” 30 May 2018.

¹⁵⁴ UN Human Rights Council, Report of the Special Rapporteur on the human right to safe drinking water and sanitation, 27 July 2016, A/HRC/33/49, para. 22.

¹⁵⁵ Siri Tellier and Maria Hyttel, Women Menstrual Health Management in East and Southern Africa, June 2018.

health,” which include having “access to health-related education and information, including on sexual and reproductive health.¹⁵⁶ It is necessary for all people to have their social norms of period stigma challenged and debunked. This education must start from an early age so as to combat other forms of socialization. Teachers in Bolivia noticed that speaking on menstruation often embarrassed the girls and elicited teasing from the boys.¹⁵⁷

There are 650 million primary school-age young people, even though 57 million of them do not attend school,¹⁵⁸ this still leaves 593 million people who can be educated about sex and health in their classrooms. The Committee on the Rights of the Child has stated that “initiating and supporting measures, attitudes, and activities that promote healthy behaviour by including relevant topics in school curricula” is particularly important in the context of adolescent health and development.¹⁵⁹

Additionally, teaching health and sex education is necessary for children to develop an awareness of the changes that are going on or will occur to them as they reach their early and mid-teens as puberty progresses. It is also essential to demystify concepts such as sex, sexual desire, sexual health, pregnancy and gender. Education will also be of immense advantage in debunking myths and destroying the stigma around menstruation. Through education, children will be informed that these myths are baseless and harmful. Myths depicting the menstruating person as unclean, fears of unwanted pregnancy and forced isolation amongst others will be explained to the children as having no logical basis and causing physical and psychological harm.

Peer-to-peer education, teacher-to-student education and social media are all channels which can facilitate adequate sex education which would lead to destroying period stigma. It is also essential to train all educators before embarking on teaching sex education and menstrual health management in schools as many of them have internalized the stigma around menstruation. Parents also need to be included in the process. Experience from the implementation of school-based comprehensive sexuality education (CSE) programmes shows that those linked to, and supported by, parents and communities are more effective than those that are not.¹⁶⁰ The education process must be comprehensive which means boys must be taught about menstrual health and stigma as well. Inclusivity also means adequate education for the parents, carers of people living with disabilities and the people themselves.

¹⁵⁶ UN Committee on Economic, Social and Cultural Rights, General Comment No. 14, The Right to the Highest Attainable Standard of Health, E/C.12/2000/4 (2000) para. 11.

¹⁵⁷ UN Human Rights Council, Report of the Special Rapporteur on the human right to safe drinking water and sanitation, para. 23, 27 July 2016, A/HRC/33/49.

¹⁵⁸ Education for All Global Monitoring Report, 2013/14, Teaching and Learning: Achieving quality for all. Paris, UNESCO.

¹⁵⁹ UN Committee on the Rights of the Child, General Comment No. 4, Adolescent health and development in the context of the Convention on the Rights of the Child, (2003) para. 17.

¹⁶⁰ See International Planned Parenthood Federation’s The ViiV Healthcare Effect.

Sanitary Products and Amenities

Sanitary hygiene products are often out of reach for those living in poverty and precarious living conditions.¹⁶¹ Women living in humanitarian crisis, incarcerated women and disabled women find it difficult to gain access to sanitary products. In some cases, women and girls do not have access to menstrual products at all. So, they may resort to rags, leaves, newspaper or other makeshift items to absorb or collect menstrual blood. It also results in multiple uses of a pad or tampon which could result in physical health issues. Although there is not a specific tax on feminine hygiene products, they are taxed as “luxury items” and not necessities and are thus not exempt from sales tax, ranging from 4-10%.¹⁶² This tax is often nominal and the removal does not open up affordability for those who are often unable to access sanitary products. Therefore, more recognition need to be given to female hygiene products, in order for it to be exempted from any form of tax. The human rights to water and sanitation include the right of all to affordable, safe and hygienic menstruation materials, which should be subsidized or provided free of charge when necessary.¹⁶³

Girls should be able to decide what product they want to use, based on their context and considering cultural acceptability, accessibility, affordability, comfort and ease of use, among others.¹⁶⁴ However, combatting period poverty goes beyond providing pads, there is also a need to provide other items such as soap, wipes, painkillers and clean underwear. In water-scarce areas in Kenya, girls were unable to wash their single pair of underwear during menstruation.¹⁶⁵ Eradicating period poverty also means comprehensive education on menstrual health management. People must be equipped with knowledge about all the sanitary products available to them and maintaining cleanliness during periods.

Period Poverty and SDG 6 - Clean Water and Sanitation

12 year old SuwaibaYau, a class six pupil in Kano state, Nigeria, recalls her friends who could not attend school because their parents did not allow them. This was because there was no water and toilet in school,” she says.¹⁶⁶ The Sustainable Development Goal 6 addresses Clean Water and Sanitation. This goal aims to ensure that human beings live healthy lives, free from water-borne diseases and health risks from an unsanitary environment. This SDG is especially important for girls and women as a lack of clean water and sanitary toilets contributes to period poverty.

¹⁶¹ UN News, “Break taboo around menstruation, act to end ‘disempowering’ discrimination”, say UN experts, 5 March 2019.

¹⁶² UN News, “Break taboo around menstruation, act to end ‘disempowering’ discrimination”, say UN experts”, 5 March 2019.

¹⁶³ UN Human Rights Council, Report of the Special Rapporteur on the human right to safe drinking water and sanitation, 27 July 2016, A/HRC/33/49, para. 39.

¹⁶⁴ UNESCO, “Good policy and practice in health education booklet 9: Puberty Education and Menstrual Hygiene Management”. Paris, 2014, p.33.

¹⁶⁵ UN Human Rights Council, Report of the Special Rapporteur on the human right to safe drinking water and sanitation, Addendum: Mission to Kenya, 6 July 2015, A/HRC/30/39/Add.2.

¹⁶⁶ Oluwatosin Akingbulu, “Innovative water and sanitation services promote school attendance for girls”, August 2017.

In 2016, the Special Rapporteur presented a report on gender equality and the human rights to water and sanitation to the Human Rights Council (A/HRC/33/49), in which he underscored the importance of placing a strong focus on the water and sanitation needs of women and girls at all times.¹⁶⁷ Globally, 2.3 billion people lack basic sanitation services and in the Least Developed Countries, only 27 percent of the population have a handwashing facility with water and soap at home.¹⁶⁸ 1.25 billion women and girls have no access to a safe private toilet and 528 million have no access to toilets at all.¹⁶⁹

The ambition to pay special attention to the needs of women and girls, also part of target 6.1 of the SDGs, which includes increasing access to drinking water and sanitation services on premises, improved access to safe drinking water and sanitation facilities in the public sphere, including that for menstrual hygiene management, will also contribute to more women and girls being able to attend schools and work outside of the home.¹⁷⁰ About half of the schools in low-income countries lack adequate WASH facilities which should be present for students and female teachers to properly manage their period.¹⁷¹ In water-scarce areas and slums in Kenya, girls were unable to wash their single pair of underwear during menstruation.¹⁷² Girls and women with disabilities and special needs face additional challenges with menstrual hygiene and are affected disproportionately with lack of access to toilets with water and materials to manage their period.¹⁷³ Furthermore, Transgender and gender non-conforming people also face discrimination when accessing water and sanitation. Water and sanitation facilities must be safe, available, accessible, affordable, socially and culturally acceptable, provide privacy and ensure dignity for all individuals, including those who are transgender and gender non-conforming.¹⁷⁴

Hence, adequate water and sanitation facilities in workplaces are necessary components of the right to safe and healthy working conditions.¹⁷⁵ The Committee on Economic, Social and Cultural Rights has specifically clarified that it is essential that these facilities “meet women’s specific hygiene needs.¹⁷⁶ In fact, international human rights law obliges states “to ensure that women have access to private, safe, and hygienic facilities for managing menstruation at the workplace.”¹⁷⁷ The Committee on Economic, Social and Cultural Rights

¹⁶⁷ Good policy and practice in health education booklet 9: Puberty Education and Menstrual Hygiene Management. Paris, UNESCO, 2014, p.33.

¹⁶⁸ UNICEF, “FAST FACTS: Nine things you didn't know about menstruation” May 2018.

¹⁶⁹ UN-Women, “Infographic; End The Stigma Period”, 6 October 2019.

¹⁷⁰ Integrated Monitoring Guide for SDG 6 Targets UN-Water, July 2019.

¹⁷¹ UN News, “Break taboo around menstruation, act to end ‘disempowering’ discrimination, say UN experts”, 5 March 2019.

¹⁷² UN Human Rights Council, Report of the Special Rapporteur on the human right to safe drinking water and sanitation, Addendum: Mission to Kenya, 6 July 2015, A/HRC/30/39/Add.2.

¹⁷³ UNICEF, “FAST FACTS: Nine things you didn't know about menstruation”, May 2018.

¹⁷⁴ UN Human Rights Council, Report of the Special Rapporteur on the human right to safe drinking water and sanitation, 27 July 2016, A/HRC/33/49, para. 39.

¹⁷⁵ ILO Convention No. 161 of 1985 on Occupational Health Services, article 5.

¹⁷⁶ Committee on Economic, Social and Cultural Rights, General Comment No. 23 on the Right to just and favourable conditions of work, U.N. Doc E/C.12/GC/23 para. 30, (2016).

¹⁷⁷ I. T. Winkler and V. Road, “Taking the bloody linen out of the closet: Menstrual hygiene as a priority for achieving gender equality,” *Cardozo Journal of Law & Gender*, vol. 21, no. 1.

has specifically clarified that it is essential that these facilities “meet women’s specific hygiene needs.”¹⁷⁸

Minimizing Sanitary Waste for a Sustainable Future

There are billions of pads and tampons used and disposed of annually.¹⁷⁹ Considering the fact that pads have been a household item since the mid-20th century, that means tons of plastic waste has been produced. Where does it go? There are only three places it can go: our earth, our air and our oceans.¹⁸⁰

Waste produced from menstrual products must be considered along with the current battle against the human production of waste. Tampon applicators are often seen in and beside waterbodies, consumed by water creatures leading to their death. In 2018 alone, people in the U.S. bought 5.8 billion tampons, and in a lifetime a single menstruator will use somewhere between 5 and 15 thousand.¹⁸¹ Plastics are one of the greatest threats to the climate, biodiversity and earth as we know it. And unfortunately, most sanitary products contain large amounts of plastic. Tampons have plastic packaging, casing, applicator and usually a plastic string. Pads generally incorporate even more plastic, from the leak-proof base to the synthetics that soak up fluid to the packaging.¹⁸² These tampons once disposed of in either waterways or landfills, have their chemicals leach out into the environment and may travel to nearby ecosystems, carried by precipitation overflow.¹⁸³ Sanitary products are hard to recycle because they have been contaminated with human waste. Period stigma has also influenced the high amount of plastics used to package sanitary products. In 2013, Kotex introduced a new and improved tampon with a “softer, quieter wrapper to help keep it secret,” designed for silent unwrapping.¹⁸⁴

It is pertinent to move away from plastic applicators, packaging and even plastic sanitary products. Sustainable options such as the reusable pads, absorbent underwear and menstrual cups should be encouraged. These options all have life spans of two years and above when managed properly. For instance, as stated by Ms. Mwira:

When we use menstrual pads, we struggle on how to dispose of them due to the way the menstrual pads are made, but with a menstrual cup, you just empty the cup, clean it and use it again¹⁸⁵

¹⁷⁸ Committee on Economic, Social and Cultural Rights, General Comment No. 23 on the Right to just and favourable conditions of work, U.N. Doc E/C.12/GC/23 para. 30, (2016).

¹⁷⁹ Sophie, “The Environmental Impact of Feminine Hygiene Products”, 31 March 2017.

¹⁸⁰ *Ibid.*

¹⁸¹ Alejandra Borunda, “How Tampons and Pads Became So Unsustainable”, 6 September 2019.

¹⁸² *Ibid.*

¹⁸³ Sophie, “The Environmental Impact of Feminine Hygiene Products”, 31 March 2017.

¹⁸⁴ Alejandra Borunda, “How Tampons and Pads Became So Unsustainable”, 6 September 2019.

¹⁸⁵ UNFPA, “For Malawi students, menstrual cups offer cost-saving alternative”, 8 January 2018.

Sustainable menstrual cups are often expensive at the initial purchase, however, the cost spread over the period which it lasts makes it significantly cheaper. The UNFPA has been supporting Malawian secondary school and university girls and women with menstrual cups. They also provide training for peer educators on the procedure for using menstrual cups and making reusable pads. UNICEF trained forty girls from four different high schools in Osun State, southwest Nigeria on how to use sewing machines and locally sourced fabric to make hygienic sanitary materials.¹⁸⁶ In Rwanda, the SHE 28 initiative included the manufacturing and distribution of affordable, eco-friendly menstrual pads locally produced from banana stem.

There are challenges with sustainable options. Extensive education is usually necessary because reusable options require special skills to use and clean effectively. Reusable options also require WASH facilities to be constantly present. For example, changing a menstrual cup requires clean water for blood disposal, cleaning of the cup and handwashing to replace the cup in the vaginal canal.

Conclusion

Optimum health is determined by many factors. One of the determinants is reproductive health. The right to health is entrenched across international and regional frameworks. As a consequence, girls, women and all those who menstruate must receive comprehensive sexual and health education, clean water and hygiene facilities and adequate sanitary products. This is essential to guarantee that mental and physical illnesses which arise from period poverty become a thing of the past. Achieving gender equality will be impossible if the health of women is not guaranteed. As stated above, women's education and professional advancement are greatly affected by period poverty and stigma. The international community must begin to centre adequate menstrual health management while allocating funds and discussing the agenda for women's rights in the next decade. A refusal to put this on the front burner will be tantamount to a violation of the right to health and gender equality. UN-Women's Action Coalition themes for the year 2020 include bodily autonomy and sexual and reproductive rights¹⁸⁷ and so, it is necessary to apply laser focus to period poverty in order to achieve these goals.

Further Research

What can the UN in conjunction with Member States do to end period poverty? How can the UN and Member States increase access to sustainable sanitary product options? What are the measures that can be put in place to improve access to water and hygiene facilities? What can be done to improve access to sanitary products options beyond removing taxes? How can the UN and Member States embark on a holistic sex education curriculum? How can the internet and social media be used to improve access to sex and health education? What are the sustainable measures available to Member States when

¹⁸⁶ UNICEF Nigeria, "No more limits: Girls learn how to make their own sanitary pads", 28 May 2018.

¹⁸⁷ StephanieFillion, "The UN Unveils 6 Themes in a Big Year Pushing for Women's Rights", January 20, 2020.

tackling menstrual stigma? How can Member States ensure girls and women in humanitarian crisis access sanitary products water and hygiene facilities? What steps will the Member States take to address the specific issues transgender and gender non-conforming people face while accessing water and hygiene facilities? What can be done locally regionally and internationally to combat physical violence resulting from menstrual stigma?

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<https://washmatters.wateraid.org/sites/g/files/jkxoof256/files/we%20cant%20wait.pdf>

This report is an extensive documentation on the effects of lack of water and hygiene facilities on women and girls. It expatiates on the horror of period poverty and provides sustainable solutions.

Committee on Economic, Social and Cultural Rights, General Comment No. 23 on the Right to just and favourable conditions of work, U.N. Doc E/C.12/GC/23 para. 30 retrieved 28 December from: <https://www.refworld.org/docid/5550a0b14.html>

The document discusses favourable working conditions which everyone has a right to. The paragraph above specifically discusses the right to access clean water and hygiene facilities as being essential to achieving favourable working conditions. Delegates are advised to study this document.

ICESCR General Comment No. 14: The Right to the Highest Attainable Standard of Health (Article 12) Adopted at the Twenty-second Session of the Committee on Economic, Social and Cultural Rights, on 11 August 2000 (Contained in Document E/C.12/2000/4), para.11. Retrieved 28 December 2019 from: <https://www.refworld.org/pdfid/4538838d0.pdf>

This document expatiates on Article 12 of the International Covenant on Economic, Social and Cultural Rights, which provides for the Right to the Highest Attainable Standard of Health. The above paragraph discusses sexual and health education as determinants of good health. In order to understand the links between sex education and health. Delegates are encouraged to study this document.

Menstrual Health Management in East and Southern Africa: A Review Paper by UNFPA. retrieved on 28 December 2019 from: <https://esaro.unfpa.org/sites/default/files/pub-pdf/UNFPA%20Review%20Menstrual%20Health%20Management%20Final%2004%20June%202018.pdf>

This paper extensively discusses menstrual health management in eastern and Southern Africa drawing attention to the inadequacies in menstrual health

management and its adverse effects. It discusses the barriers and brings notice to the conditions of menstrual health of women and girls in humanitarian contexts.

Puberty Education and Menstrual Hygiene Management by UNESCO retrieved on 28 December 2019 from: <https://unesdoc.unesco.org/ark:/48223/pf0000226792>

This document is solely focused on health and sex education. It offers solutions such as peer education and social media campaigns to combat negative views on puberty, sex and menstruation. The document also expands on existing sex education projects around the world.

OHCHR'S Menstrual Hygiene Day Article on "Menstrual Hygiene and the Human Rights to Water and Sanitation" Retrieved on 28 December 2019 from: <https://www.ohchr.org/EN/Issues/WaterAndSanitation/SRWater/Pages/MenstrualHygieneDay.aspx>

This article extensively discusses menstruation and its link to water and hygiene facilities. It elaborates on the rights being violated by the lack of access to water and sanitation and includes relevant UN documents.

Report of the Special Rapporteur on the human right to safe drinking water and sanitation was presented to the Human Rights Council in 2016 A/HRC/33/49 27 Retrieved on 28 December 2019 from: <https://www.ohchr.org/EN/Issues/WaterAndSanitation/SRWater/Pages/AnnualReports.aspx>

This document is focused on analysing gender inequality and how it affects access to water and sanitation. It analyses the current position in the world with access to WASH and its impact on gender. It also provides information on the specific position of Trans and gender-conforming people struggles with access to WASH.

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UNFPA's "Frequently Asked Questions on Menstruation" retrieved on 28th of December 2019 from: <https://www.unfpa.org/menstruationfaq>

This webpage contains information on the frequently asked questions on menstruations. The webpage covers questions from what is a menstrual period to what are the taboos surrounding periods to what the UNFPA is currently doing to combat period poverty and stigma.

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II. Digital Technology and Sexual Violence

“Violence against women is unacceptable anywhere; no matter whether it is committed on the streets, in the home, or on the information highway.” - **UNDP Administrator, Helen Clark**

Introduction

Online violence against women has been defined as “gender-based violence against women that is committed, assisted or aggravated in part or fully by the use of ICT, such as mobile phones and smartphones, the Internet, social media platforms or emails, against a woman because she is a woman, or affects women disproportionately”.¹⁸⁸ This definition, however, recognizes that advances in technology and new forms of technology will definitely give rise to new forms of violence against women.¹⁸⁹

According to the Pew Research Internet Project most recently conducted in June 2019, 74% of adults who are online use a social networking site of some kind and 81% of adult phone owners send and receive text messages.¹⁹⁰ That same project found that young women between the ages of 18-29 are disproportionately more likely to be the victims of online abuse as 90% of those surveyed had been stalked online and 25% had been sexually harassed.¹⁹¹ Another survey of victim service providers conducted by the Safety Net Project at the National Network to End Domestic Violence revealed that abusers misuse technology to monitor, impersonate and stalk victims.¹⁹² Results showed that 79% of programs report that abusers monitor survivors social media accounts; 74% report that abusers monitor victims by text message and 71% report that abusers monitor survivors’ computer activities. Yet another report by the Center for Public Affairs Research states that nearly half of people aged 14-24 report being electronically harassed in some form; 40% report incidences of digital dating abuse while 11% have had naked pictures of themselves shared.¹⁹³ The Union Agency for Fundamental Rights survey on violence against women in the EU shows that 20% of young women aged 18-29 in the EU have experienced cyber sexual harassment; 77% of women who have experienced cyber-harassment have also experienced at least one form of sexual and/or physical violence from an intimate partner, and 5% of women in the EU have experienced one or more forms of cyberstalking since the age of 5.¹⁹⁴ Despite the immeasurable benefit that digital technology provides, it has also opened the door to new forms of oppression and violence.¹⁹⁵

¹⁸⁸ Human Rights Council (2018), “Report of the Special Rapporteur on Violence Against Women, its Causes and Consequences on Online Violence Against Women and Girls From a Human Rights Perspective”.

¹⁸⁹ *Ibid.*

¹⁹⁰ Pew Research Center, “Social Media Fact Sheet”.

¹⁹¹ *Ibid.*

¹⁹² AP NORC Center for Public Affairs Research, “The Digital Abuse Study: Experiences of Teens and Young Adults”.

¹⁹³ *Ibid.*

¹⁹⁴ European Union Agency for Fundamental Human Rights, “Violence Against Women: an EU Wide Study”.

¹⁹⁵ OHCHR, “Human Rights Council Hold Panel Discussion on Online Violence Against Women Human Rights Defenders”.

Gender-based online harassment, online bullying, and revenge pornography are all forms of gender-based violence.¹⁹⁶ *Article 1 of the Declaration on the Elimination of Violence against Women* defines sexual violence as any act of gender-based violence that results in, or is likely to result “in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in private or public life”.¹⁹⁷ While technology can prove to be of immense help to survivors and victims of sexual violence, it can, and has been used by abusers to violate victims and perpetrate acts of sexual violence against them. Abusers misuse technology in different ways; to stalk victims, to harass and intimidate victims, to share intimate pictures of victims without their consent, and to impersonate victims amongst others.¹⁹⁸ Perpetrators sexually harass victims with the aid of technology built on the real-life threats that women face such as rape and intimidation, and intend to disparage victims based on their sex, gender and/or sexual identities. Research undertaken by Amnesty International shows that internet intermediaries' policies can also push women to silence for fear of violence.¹⁹⁹

The UN attempts to mitigate and eliminate sexual violence generally through the Security Council and UN-Women.²⁰⁰ UN-Women works alongside governments, non-governmental agencies and other institutions to advocate for ending all forms of sexual violence, increase awareness among communities and societies, and build the capacity of partners to prevent and respond to violence.²⁰¹

International and Regional Framework

There is a wide range of international human rights law instruments which address sexual violence. The *Universal Declaration of Human Rights* (UDHR), which is the foremost instrument on human rights, is the key international instrument as regards sexual violence.²⁰² Article 1 of the UDHR affirms that all human beings are born free and equal in dignity and rights. Articles 2-4 outline the rights to dignity, liberty and freedom from cruel and inhumane treatment. Furthermore, the *Convention on the Elimination of All Forms of Discrimination against Women*²⁰³ which was adopted by the General Assembly in 1979 has been described as an international bill of rights for women. The Convention is divided into six parts; and defines discrimination against women and makes provisions for ways in which member states can end gender-based violence.

¹⁹⁶ Study for the Femm Committee, “Cyber Violence and Hate Speech Online Against Women”.

¹⁹⁷ Article 1, Resolution 48/104, December 1993.

¹⁹⁸ Technology Safety, “How Abusers are Misusing Technology”.

¹⁹⁹ Amnesty International, “Toxic Twitter, a Toxic Place for Women”.

²⁰⁰ General Assembly, “Transforming Our World: The 2030 Agenda for Sustainable Development.”

²⁰¹ UN-Women, “Ending Violence Against Women”.

²⁰² General Assembly, Universal Declaration of Human Rights, 10 December 1948, 217 (III).

²⁰³ General Assembly, Convention on the Elimination of All Forms of Discrimination, 18 December 1979, A/RES/34/180

The *Declaration on the Elimination of Violence against Women* adopted by the General Assembly in its *Resolution 48/04*²⁰⁴ also has provisions on sexual violence.²⁰⁴ This instrument is particularly important as it provides the most widely used definition of violence against women. *Article 1* defines violence against women as “any acts of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.” *Article 2* explains the scope of violence against women, In 2017, the Committee on the Elimination of Discrimination Against Women also adopted the new General Recommendation 35 which affirms the UN's commitment to a world free from violence and redefined new forms of violence as “through technology-mediated environments, such as contemporary forms of violence occurring in the internet and digital spaces”.²⁰⁵

Regional instruments against sexual violence include; the *Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women 1994*²⁰⁶ which defines violence to be inclusive of sexual or psychological harm or suffering, and the *Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa* (the Maputo Protocol or African Women's Protocol)²⁰⁷ provides for the right to dignity and elimination of discrimination against women.

Abusers may use technology to breach their victim's right to privacy, a right which is guaranteed by several international treaties.²⁰⁸ The General Assembly *Resolution 68/167* (2013) on the right to privacy in the digital age recalls that violations and abuse of the right to privacy in the digital age may have particularly dangerous effects on individuals who are vulnerable and marginalized.²⁰⁹ The Convention for the Protection of Rights of Individuals with Regard to Automatic Processing of Personal Data is the first international instrument on data protection.²¹⁰ In addition to this, the right to privacy is guaranteed in several international and regional instruments, such as *Article 12 of the UDHR*, *Article 17 of the International Covenant on Civil and Political Rights* (ICCPR), *Article 8 of the European Convention on Human Rights*, *Article 10 of the African Charter on the Rights and Welfare of the Child*, *Articles 16 and 21 of the Arab Charter on Human Rights*, and *Article 5 of the American Declaration of the Rights and Duties of Man*.

A litany of international instruments and resolution attempt to protect the human rights of women and children by criminalizing acts that impede those rights or endanger them. The

²⁰⁴ UN Human Rights-Office of the High Commissioner, “Declaration of the Elimination of Violence against Women”.

²⁰⁵ OHCHR, “Committee on the Elimination of Discrimination against Women”.

²⁰⁶ Organization of American States (OAS), *Inter American Convention on the Prevention, Punishment and Eradication of Violence Against Women*, 9 June 1994.

²⁰⁷ African Union, *Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa*, 11 July 2003.

²⁰⁸ Study for the Femm Committee, “Cyber Violence and Hate Speech Online Against Women.”

²⁰⁹ General Assembly, “Right to Privacy in a Digital Age”.

²¹⁰ Council of Europe, “Convention for the Protection of Rights of Individuals with Regard to Automatic Processing of Personal Data”.

Budapest Convention on Cybercrime, adopted in 2001 is the first international treaty focused on internet-related crimes.²¹¹ Three articles of the Convention can apply to cybercrimes against women. Article 4 discusses data interference in a critical system which may cause death or physical or psychological injury, Article 5 discusses system interference in a critical system which may cause death or physical or psychological injury, and Article 9 which discusses child exploitation images on producing child pornography for electronic distribution and production of child pornography which may cause death and necessarily entails physical or psychological violence.²¹² Furthermore, the UN Human Rights Council voted on a number of resolutions regarding the protection, promotion and enjoyment of human rights on the internet in 2018, several of which specifically address cyber violence and technology-facilitated abuse against women and the relations between privacy violations, misuse and theft of data and violence, including against women for their public persona.²¹³ The Council of Europe's *Istanbul Convention*, which was adopted in 2011, is the first European multilateral legally binding agreement on curbing violence against women, and it contains several articles that can be applied to cyber violence and technology-facilitated abuse against women.²¹⁴ Article 34 of the *Convention on the Rights of the Child* obligates state parties to protect children from all forms of sexual exploitation and abuse, including prostitution and pornography.²¹⁵ Article 3 of the *Convention* defines violence against women as “a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that results in, or are likely to result in, physical, sexual, psychological, or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life”. Also, the *European Convention on the Protection of Children against Sexual Exploitation and Abuse* expressly prohibits the use of ICT to access child pornography, to distribute child pornography, or to solicit children for sexual purposes.²¹⁶ The African Union Convention on Cyber Security and Personal Data Protection of 2014 includes, among other things, a call for the African Union States to create and/or amend national laws to adequately provide for cybercrimes.²¹⁷

Sustainable Development Goal 5 aims to achieve gender equality and empower all women and girls.²¹⁸ Target Indicator 5.2 aims to eliminate all forms of violence against women and girls in public and private spaces.²¹⁹

²¹¹ Council of Europe, “Budapest Convention on Cybercrime and Other Protocols”.

²¹² *Ibid.*

²¹³ UN Human Rights Council (2018), “Resolutions on the Promotion and Protection of all Human Rights, Civil, Political, Economic, Social and Cultural Rights, Including the Right to Development”.

²¹⁴ Council of Europe, “Council of Europe Convention on Preventing and Combating Violence against Women and Intimate Partner Violence” (2011).

²¹⁵ General Assembly, Convention on the Rights of the Child, 20 November 1989, UNTS vol. 1577, p. 3.

²¹⁶ Council of Europe, Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, 12 July 2007, CETS No: 201.

²¹⁷ African Union Convention on Cybercrime Security and Cyber Crimes.

²¹⁸ UN, “Gender Equality and Women Empowerment”.

²¹⁹ UN Sustainable Development Goals, “Sustainable Development Goal 5”.

Role of the International System

It has been stated that human rights protected offline must also be protected online.²²⁰ The first step towards a global alliance to fight violence against women and girls was taken in December 2017, an initiative by UN-Women, the European Commission, the Organization for Economic Cooperation and Development and the Council of Europe.²²¹

The General Assembly *Resolution 2013* on protecting women human rights defenders contains language on technology-related human rights violations.²²² It states that “

“information technology-related violations, abuses and violence against women, including women human rights defenders, such as online harassment, cyber stalking, violation of privacy, censorship and hacking of email accounts, mobile phones, with a view to discredit them and/or inciting other violations and abuse against them, are a growing concern and a manifestation of systemic gender based discrimination, requiring effective responses compliant with human rights.”²²³

Several non-governmental bodies and organizations also work towards mitigating cyber violence and technology-facilitated abuse. The International Centre for Research on Women (ICRW) is leading the Technology-Facilitated Gender-based Violence: The “What is It, and How Do We Measure It?” project in partnership with the World Bank and has developed a conceptual framework that allows visualizing the scope of cyber violence and technology-facilitated abuse.²²⁴ The Research Report *Remove: Countering Cyber Hate Phenomena* collects data on hate speech in about five countries monthly.²²⁵ *Fix the Glitch* is a UK based organization which facilitates workshops and recommendations on countering online abuse on politically active women.²²⁶ *Cyber Civil Rights Initiative* supports victims of revenge pornography, referring pro or low bono services to help them regain control of their search results and lives, and supports the passage of updated legislation.²²⁷ The National Network to End Domestic Violence's *Safety Net Project* focuses on the intersection of technology and intimate partner abuse, and works to address the civil rights of victims.²²⁸ The *Online Abuse Prevention Initiative* works by analysing sexual abuse patterns and creating anti-harassment tools and resources.²²⁹

²²⁰ OHCHR, “Human Rights Council Hold Panel Discussion on Online Violence Against Women Human Rights Defenders”.

²²¹ European Commission, “Joint Communiqué from the Organization for Economic Co-operation and Development, the Council of Europe, the European Commission, and UN-Women on Global Action to Combat Violence Against Women”.

²²² ISHR, “UN Adopts Landmark Resolution on Protecting Women Human Rights Defenders”.

²²³ OHCHR, “UN-Women”.

²²⁴ Study for The Femm Committee, “Cyber Violence and Hate Speech Online Against Women”.

²²⁵ INACH, “Research Report *Remove: Countering Cyber Hate Phenomena*”.

²²⁶ *Fix the Glitch*, “*Fix the Glitch to End Online Abuse*”.

²²⁷ *Cyber Civil Rights Initiative*, “*Home*”.

²²⁸ National Network to End Domestic Violence, “*Safety Net Project*”.

²²⁹ *Online Abuse Prevention Initiative*, “*Home*”.

The Zen Manual and MyShadow projects are led by Tactical Technology Collective; the Sender Manual is a guidebook on the topic of digital safety while MyShadow helps users control their data traces.²³⁰ Enough is Enough is a non-partisan, non-profit organization established in 1998 which aims to make the internet safer for children and families,²³¹ while GetNetWise is a public service by internet service corporations and other private organisations aiming to help ensure that internet users have safe and constructive online experiences.²³² Safer Internet Forum is an “annual conference gathering policymakers, researchers, law enforcement bodies, youth, teachers, NGOs, industry representatives, experts and other actors to discuss the latest trends, risks and solutions related to child online safety.”²³³ Safer Internet Day is celebrated every February in over 130 countries worldwide and aims to raise awareness of emerging online issues and chooses a topic reflecting current concerns.²³⁴

Revenge Pornography

Several cases of revenge pornography have gained widespread attention in recent times.²³⁵ The availability of smartphones and internet access has led to easy perpetration of revenge pornography.²³⁶ It is sometimes referred to as image-based sexual abuse.²³⁷ It has been argued that image-based sexual abuse should be more widely used because it captures the broad range of perpetrator motivations, rather than simply assuming that all revenge porn is posted for revenge purposes; it encompasses images that may not be considered pornographic, but are used for pornographic purposes; and includes a broader range of contexts in which the images were originally produced.²³⁸ Revenge porn is an act against the victim’s bodily integrity and a blatant disregard for women’s autonomy.²³⁹ The harm suffered by victims is deeply gendered as they are predominantly women. Harm is also gendered on account of the misogynistic manner of revenge porn.²⁴⁰ It increases the risk of offline stalking or physical attack and may also affect a victim's chances of employment.²⁴¹

Victims suffer grave harm, including stalking, loss of professional and educational opportunities and psychological damage while the circulation of revenge porn could lead to cyberstalking and harassment.²⁴² And similar to other forms of sexual violence, victims

²³⁰ Me and My Shadow, “Home”.

²³¹ Enough is Enough, “About”.

²³² GetSafeOnline, “Home”.

²³³ European Commission, “Safer Internet Forum”.

²³⁴ Safer Internet Day, “About”.

²³⁵ M Goudsmit, “Revenge Pornography: A Conceptual Analysis” 2012.

²³⁶ E Rackley & C McGlenn, “Image-based Sexual Abuse” 2017 *Oxford Journal of Legal Studies* 5.

²³⁷ *Ibid.*

²³⁸ N. Henry, A. Powell, “Technology Facilitated Sexual Violence: A Literature Review of Empirical Research, Trauma, Violence and Abuse” Vol. 19, pp. 195-208.

²³⁹ D Citron & M Franks, “Criminalising Revenge Porn” 2014 *Wake Forest Law Review* 49.

²⁴⁰ *Ibid.*

²⁴¹ *Ibid.*

²⁴² JR Vile, “Revenge Pornography”.

suffer negative consequences for speaking out, including the possibility of greater harm.²⁴³ A study of revenge porn victims revealed that most victims suffered trust issues after revenge porn with most going from being very trusting to rarely trusting anyone.²⁴⁴ Participants also reported mental health issues, often suffering from post-traumatic stress disorder, anxiety and depression.²⁴⁵ They also reported living in the fear that the photos would be used against them in the future²⁴⁶ and a general loss of self-esteem, confidence and control.²⁴⁷

Revenge Pornography is popular; a website dedicated to the distribution of revenge porn, IsAnybodyUp averaged 150,000-240,000 unique page views per day before being closed down in April 2012.²⁴⁸ Revenge pornography can also prove to be lucrative as revenge porn websites charge for access. For example, RevengePornNet charges \$1.95 for a two-day trial membership, \$24.95 for a one-month membership, \$49.95 for three months membership and \$57.50 for a six-month membership.²⁴⁹ Many revenge porn websites also charge take down fees.²⁵⁰ Even though male ex partners are reported as the main perpetrators, current partners of both the victims and perpetrators, alleged victims and people interested in revenge can find explicit images and distribute them.²⁵¹

There is no international legislation targeted specifically towards revenge porn however, a few non-governmental organisations are working towards mitigating it such as BADASS (Battling against Demeaning and Abusive Selfie Sharing).²⁵²

Gender-Based Cyberbullying

UN-Women asserts that one in three women will have experienced a form of violence in her lifetime.²⁵³ Cyberbullying could significantly increase this number as the UN Broadband Commission states that almost three-quarters of women online have been exposed to some form of cyber violence.²⁵⁴ Gender-based cyberbullying has been defined as a complex form of violence that targets a person's sex or sexuality and is intentional, reoccurring and offensive.²⁵⁵ Cyberbullying is a complex problem that requires a multifaceted approach.

Research by the African Development Bank found that more than a third of respondents stated that they had been harassed online. Another third had experienced personal hate

²⁴³ D Citron & M Franks, "Criminalising Revenge Porn" 2014 *Wake Forest Law Review* 49.

²⁴⁴ S. Bates, "Stripped: An Analysis of Revenge Porn Victims' Life After Victimization".

²⁴⁵ *Ibid.*

²⁴⁶ D Citron & M Franks, "Criminalising Revenge Porn" 2014 *Wake Forest Law Review* 49.

²⁴⁷ *Ibid.*

²⁴⁸ M. Hall et al. "Pornography: Non-consensual, Vengeful, Online".

²⁴⁹ *Ibid.*

²⁵⁰ *Ibid.*

²⁵¹ *Ibid.*

²⁵² Wired, "Meet Badass".

²⁵³ UN-Women, "Ending Violence Against Women".

²⁵⁴ UN-Women, "Cyber Violence Report Press Release".

²⁵⁵ European Institute for Gender Equality (EIGE), "Gender Based Cyberbullying".

speech, trolling and cyberbullying.²⁵⁶ Almost half of all Americans under the age of 35 have been bullied online, or know somebody who has.²⁵⁷ The report released by the UN Broadband Commission revealed that women between the ages of 18-24 are likely to experience cyberbullying, one on five female internet users live in places where online harassment is extremely unlikely to be punished and many victims are reluctant to report for fear of social repercussions.²⁵⁸ The report further indicated that gender-based cyber violence especially affects emotional bandwidth, personal and workplace time, and financial resources. The Foundation for Media Alternatives (FMA) outlines one hundred and sixty cases of gender-based cyberbullying in the Philippines.²⁵⁹ A UNICEF poll states that more than a third of young people in 30 countries have been a victim of online bullying. 75% of respondents stated that they are not aware of a helpline or service they can turn to for help.²⁶⁰

These forms of violence negatively impact on women's mental health and physical health which can last long term and cause avoidance and control behaviours, accompanied by anxio-depressive disorder, sleep disorder, and can damage social, emotional and sexual life.²⁶¹ UNICEF announced in 2014 that the risk of a suicide attempt is 2.3 times higher for a victim of cyberbullying compared to non-victims.²⁶²

In understanding gender-based bullying, the relationship between the perpetrator and victim and the perpetrator's likely intention and motivation must be considered. Scales such as the Cyber Psychological Abuse Scale,²⁶³ the Revised Cyberbullying Inventor²⁶⁴ and the Cyber Victimization Questionnaire²⁶⁵ have been used to investigate certain nuances of gender-based cyberbullying.

Technology Facilitated Abuse

A report from the Special Rapporteur on Violence Against Women presented to the Human Rights Council in 2018 uses the definition "ICT-facilitated violence against women" but also employs the term "technology-facilitated violence."²⁶⁶ The report defined this to be gender-based violence against women that is committed, assisted, or aggravated by the

²⁵⁶ African Development Bank Group, "Minding the Gap: Identifying Strategic to Address Gender Based Cyber Violence in Kenya".

²⁵⁷ OnlineHarassmentData.org, "Online Harassment Data".

²⁵⁸ UN-Women, "Ending Violence Against Women".

²⁵⁹ Foundation for Media Alternatives, "Map It. End It".

²⁶⁰ UNICEF, "Press Release".

²⁶¹ Haut Conseil à l'Égalité, "En Finir Avec l'Impunité Des Violences Faites aux Femmes en Ligne : une Urgence Pour Les Victimes".

²⁶² UNICEF France, "Écoutons ce que Les Enfants ont à Nous Dire, Consultation Nationale".

²⁶³ P. Leisring & G. Giumeth, "Sticks and Stones May Break My Bones but Abusive Text Messages Also Hurt: Development and Validation of the Cyber Psychological Abuse Scale", 323-341.

²⁶⁴ C. Topcu, "The Revised Cyberbullying Inventory: Validity and Reliability Studies" (2010) *Procedia-Social and Behavioural Sciences*, 660-664.

²⁶⁵ D. Alvarez-Garcia, "Validation of the Cyber Victimization Questionnaire" (2017) *Computers in Human Behaviour*.

²⁶⁶ Human Rights Council, "Report of the Special Rapporteur on Violence Against Women, its Causes and Consequences on Online Violence Against Women and Girls From a Human Rights Perspective"(2018).

use of ICT against a woman because she is a woman, or affects women disproportionately.²⁶⁷

Both men and women can be victims and perpetrators of technology-facilitated abuse but women and members of the LGBT+ community are more likely to be targeted, just like conventional forms of sexual harassment, sexual violence, and discrimination.²⁶⁸ Technology facilitated abuse stem from socially and culturally constructed beliefs and attitudes about gender and sexuality, as well as perpetrator motivations for power and control.²⁶⁹ It constitutes gender-based violence and is a part of a continuum of violence against women starting offline before moving online, and vice versa in some cases.²⁷⁰ Online spaces reflect public spaces, where traditionally, women are unwelcome and constantly under threat.²⁷¹

Technology facilitated stalking, which is a form of technology-facilitated abuse, encompasses a pattern of repeated, intrusive behaviour that causes fear in victims.²⁷² It is a form of control which includes strategies to intimidate, such as isolation, surveillance, micromanaging of daily activities and shaming.²⁷³ Technology can provide abusers with more tools and greater scope to intimidate and control their victims as the effect of constant harassment on a victim's life cannot be overestimated.²⁷⁴ According to the CDC, 7.5 million people are stalked in the United States each year.²⁷⁵ A study to examine the use of technology to monitor and intimate partners in a US university found that half of both female and male partners were either perpetrators or victims of technology-facilitated abuse.²⁷⁶ Female students reported receiving repeated threatening and harassing emails and text messages, with 10-15% experiencing this from their partners.²⁷⁷ One of the tactics used by stalkers is attempting to convey the abuser's omnipresence and omnipotence by infiltrating all aspects of the victim's life.²⁷⁸ Another tactic is isolating victims to instil dependence and discourage them from getting help.²⁷⁹ The last and major theme is the use of technology to punish and humiliate.²⁸⁰

Online Platforms where various forms of technology-facilitated abuse occur include social media, web content and discussion sites, search engines, messaging services, blogs, dating websites and apps, comment sections of media and newspapers, chat rooms of online

²⁶⁷ *Ibid.*

²⁶⁸ A Powell & N. Henry, *Sexual Violence in a Digital Age*, (Palgrave Macmillan, 2014).

²⁶⁹ *Ibid.*

²⁷⁰ Study for The Femm Committee, "Cyber Violence and Hate Speech Online Against Women".

²⁷¹ *Ibid.*

²⁷² D. Woodlock, "The Abuse of Technology in Domestic Violence and Stalking".

²⁷³ *Ibid.*

²⁷⁴ C. Fraser et al, "The New Age of Stalking: Technological Implications for Stalking"

²⁷⁵ Center for Disease Control and Prevention, "National Intimate Partner and Sexual Violence Survey".

²⁷⁶ S. Burke et al, "Using Technology to Control Intimate Partners: An Exploratory Study of College Undergraduates".

²⁷⁷ *Ibid.*

²⁷⁸ E. Stark, "Stop Violence Against Women".

²⁷⁹ *Ibid.*

²⁸⁰ *Ibid.*

games, etc.²⁸¹ The 2014 report from Pew Research Centre finds that online abuse is much more prevalent in some online environments than in others.²⁸² For example, of over 100,000 tweets mentioning rape between 26 December 2013 and 9 February 2014, more than 1 in 10 appeared to be threatening in nature.²⁸³ Twitter remains a threatening space for women, despite all the policies put in place, because of its nature which allows direct and immediate contact between an infinite quantity of users.²⁸⁴

A report by Amnesty International found that of the women who experienced abuse online, 1 in 5 women in the UK and over 1 in 4 in the USA said they feared for their family's safety after experiencing abuse or harassment online.²⁸⁵ 1 in 2 women experienced lower self-esteem or loss of self-confidence as well as stress, anxiety or panic attacks as a result of cyber violence and technology-facilitated abuse.

Regarding technology-facilitated abuse happening in the context of intimate partner violence, researchers have estimated the cost associated with responding to technology-based victimization to \$1,200 compared to \$500 for survivors of non-technological abuse.²⁸⁶

Privacy Protection and Sexual Violence

Privacy is a fundamental human right and essential for dignity and security.²⁸⁷ In the digital world, including when applications and social media are used, large amounts of personal data are collected and can be used to profile and produce predictions of behaviour.²⁸⁸

In the age of advanced technology, it has become more difficult for survivors to limit the sharing of their personal information as personal information can be obtained in seconds.²⁸⁹ Abusers may use technology to track their victim's movements or to maintain financial or psychological control. Abusers may also draw on a variety of data types to track or locate survivors, including GPS, phone records, online databases, social media, and so on.²⁹⁰

Cybercrimes violate an individual's privacy and involve certain offences against persons including revealing of personal information, videos, photographs and recordings without their consent.²⁹¹ They have been defined as "offences committed against individuals with a criminal motive to intentionally harm the reputation of the victim using modern

²⁸¹ Study for the Femm Committee, "Cyber Violence and Hate Speech Online Against Women".

²⁸² Pew Research Centre, "Online Harassment".

²⁸³ Demos, "Misogyny on Twitter".

²⁸⁴ Amnesty International, "Toxic Twitter, a Toxic Place for Women".

²⁸⁵ Amnesty International, "Amnesty Reveals Alarming Impact of Online Abuse Against Women".

²⁸⁶ YMCA, "Technology and Gender Based Violence".

²⁸⁷ Commissioner for Human Rights, "Safeguarding Human Rights in the Era of Artificial Intelligence".

²⁸⁸ Study for the Femm Committee, "Cyber Violence and Hate Speech Online Against Women".

²⁸⁹ Technology Safety, "Why Privacy and Confidentiality Matters for Victims of Domestic Violence".

²⁹⁰ T. Matthews, K. O'Leary, A. Turner and M. Sleeper, "Stories from Survivors: Privacy and Security Practices when Coping with Intimate Partner Abuse".

²⁹¹ UNODC, "Cybercrimes That Compromise Privacy".

telecommunication networks such as the internet and mobile phones.”²⁹² Cybercrimes against women have been defined as crimes targeted against women with a motive to intentionally harm the victim physically and psychologically with the aid of technology such as the internet or mobile phones.²⁹³ Compromised data can, and has been used to shame people and expose their perceived immoral behaviours.²⁹⁴ It has become increasingly difficult to minimize one's digital footprint in the world today. And as such, victims cannot protect their personal data when it is stored in third-party databases, far from their control.²⁹⁵

Gender and Cyber-Violence

Some forms of cyber violence against women have a direct impact on their immediate physical safety, and they include trafficking of women using technological means, sexualised extortion, online grooming and in real-world attacks (this is defined as cyber violence having repercussions in real life).²⁹⁶

Human trafficking includes the trafficking of women for means of prostitution, forced labour or other criminal activities.²⁹⁷ Developing technologies allow traffickers to extend part of their activities online and gain audience on transnational spaces.²⁹⁸ The internet can and has been used to advertise false jobs to attract victims, exploit and control them. The internet can also be used to blackmail victims, threaten to post compromising pictures of victims online or use live cameras to monitor them remotely.²⁹⁹ A report analysing trends in human trafficking showed that 80% of registered victims were female, over 1,000 child victims were trafficked for sexual exploitation, 69% of registered victims were trafficked for sexual exploitation and 95% of registered victims for sexual exploitation were female.³⁰⁰ The harm of trafficking is more severe for women and girls given their exposure to specific forms of exploitation such as sexual exploitation and violence, domestic servitude and forced marriage.³⁰¹ Technology has enabled sex trafficking to become the fastest growing criminal enterprise in the world.³⁰²

Technology is being misused by human trafficking during all the stages of crime including recruitment, control and exploitation of victims.³⁰³ Reasons for this include; hiding identities and increasing anonymity online, facilitating recruitment and employment of victims by traffickers, facilitating transactions and accessing the workplace, and expanding

²⁹² D. Halder et al., “Cybercrimes and the Victimization of Women: Laws, Rights and Regulations”.

²⁹³ *Ibid.*

²⁹⁴ UNODC, “Cybercrimes That Compromises Privacy”.

²⁹⁵ Wessex Institute, “MARAS 2016”.

²⁹⁶ Study for the Femm Committee, “Cyber Violence and Hate Speech Online Against Women”.

²⁹⁷ *Ibid.*

²⁹⁸ European Parliament, “The Gender Dimension of Human Trafficking”.

²⁹⁹ *Ibid.*

³⁰⁰ Eurostat, “Trafficking in Human Beings”.

³⁰¹ ICAT, “Gender Dimensions of Human Trafficking”.

³⁰² Equality Now, “Technology and Trafficking”.

³⁰³ EUROPOL, “Situation Report: Trafficking in Human Beings in the EU”.

the means by which victims may be controlled and exploited.³⁰⁴ Traffickers exploit victims' vulnerabilities such as poverty, lack of family support, homelessness, mental or physical disabilities, migration status and addiction.³⁰⁵

Sexual extortion, also known as sextortion, is a form of revenge porn and sexual exploitation where victims are extorted with an explicit image they shared of themselves and are coerced into performing sexual acts with the person doing the sextorting.³⁰⁶ It can also be defined as a form of sexual exploitation in which abuse of power forms the basis of the exploitation.³⁰⁷ Victims of sextortion are usually between the ages of 10-17³⁰⁸ and while both male and female children can fall victim to sextortion, a study found that 78% of reports involved girls and 15% involved boys.³⁰⁹ Sextortionists can be adults or other young people, and may or may not know their victims,³¹⁰ they are also typically males.³¹¹ Victims of sextortion feel a sense of powerlessness and vulnerability.³¹² The effects on young victims can be particularly severe and traumatic especially putting into context the potential social repercussions.³¹³

Online grooming, or online child grooming, is establishing an emotional connection via the internet with a child, with the aim of sexual abuse.³¹⁴ It is most prevalent between the 13-17 age group, and a majority of targeted children are girls.³¹⁵ Once a victim's trust is gained, online groomers often steer the conversation towards their sexual experiences, even asking the child to send sexual videos and photographs of themselves.³¹⁶ Social networking sites are increasingly being used for online grooming as offenders can use them to find vulnerable children who fit their sexual preferences by scanning their profile and personal information before even contacting them.³¹⁷ In a study to examine the effects of online grooming, half of the participants talked about a negative psychological effect.³¹⁸ Additional impact included self-harm, embarrassment, loss of confidence and aggression.³¹⁹

³⁰⁴ Inter-Agency Coordination Group against Trafficking in Persons (ICAT), "Human Trafficking and Technology: Trends, Challenges and Opportunities" (2019) Issue Brief 7.

³⁰⁵ *Ibid.*

³⁰⁶ M. Cerner, "Sextortion".

³⁰⁷ Punch NG, "How to Curb Sextortion, Violence Against Women".

³⁰⁸ J. Saul, "Online Sextortion is on the Rise" 1 December 2016 NEWSWEEK.

³⁰⁹ National Center for Missing and Exploited Children, "Sextortion".

³¹⁰ J. Wolak and D. Finkelhor, "Sextortions: Findings from a Survey of 1631 Victims".

³¹¹ B. Wittes, C. Poplin, Q. Jurecic and C. Spera, "Sextortion: Cybersecurity, teenagers, and remote sexual assault" (2016) Centre for Technology Innovation at Brookings.

³¹² *Ibid.*

³¹³ Glamour, "Meet Ashley Reynolds, the Woman Fighting Sextortion".

³¹⁴ Pandora's Project, "Child Sexual Abuse and the Grooming Process".

³¹⁵ E. Munro, "The Protection of Children Online: A Brief Scoping Review to Identify Vulnerable Groups".

³¹⁶ Internet Matters, "Online Grooming".

³¹⁷ S. Webster et al, "European Online Grooming Project: Final Report 51" (2012) European Commission Safer Internet Plus Programme.

³¹⁸ C. Whittle, C. Hamilton-Giachritsis, A.R. Beech, "Victims' Voices: The Impact of Online Grooming and Sexual Abuse" (2013) 1(2) Universal Journal of Psychology, p. 59-71.

³¹⁹ *Ibid.*

Conclusion

Sexual violence against women in online spaces is an important discourse to have as it is becoming increasingly easy for people to become victims of sexual assault, violence and harassment. The international community can address this in many ways ranging from conducting qualitative research into GBV in online spaces to providing legal and psychological assistance to victims, to providing training to internet users.

Online spaces need to be made safer for women in order to achieve the SDGs by 2030 as technology-facilitated violence violates the rights of women and girls and contributes to gender inequality. Although international and national non-governmental bodies have started the work of attempting to mitigate GBV in online spaces, there is still the need for strong international frameworks and legislation specifically aimed at it.

Further Research

Important questions delegates should reflect on as they prepare for the conference are: How can UN agencies, governments, non-governmental organisations, and the private sector promote laws and policies that are geared towards protecting the safety of women on the internet? What measures can be taken to mitigate technology-facilitated abuse? What is the potential for technologies used to facilitate human trafficking to be used to combat human trafficking? How does gender inequality in the tech sector contribute to online violence against women? What are the limitations that cause the difficulty of Member States in implementing laws protecting cybersecurity and data privacy?

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This report by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs examines the phenomenon of cyber violence, studies its root causes, the impact of violence on women, and analyses its prevalence, victims and perpetrators.

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this form of violence. Delegates should be familiar with this report as it contains information on the harms and manifestations of online technology-facilitated violence against women and girls, as well as information on the application of international human rights frameworks to online violence.

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