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GENDER-BASED VIOLENCE AND HUMAN RIGHTS: SOCIAL, LEGAL, AND INSTITUTIONAL CHALLENGES

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ABSTRACT

Gender-based violence (GBV) remains one of the most serious human rights challenges across contemporary societies. It includes domestic violence, sexual harassment, rape, forced marriage, honour-based violence, psychological abuse, economic exploitation, human trafficking, and technology-facilitated violence. Despite the development of international human rights standards, national legislation, and institutional protection mechanisms, millions of women and girls continue to experience violence, discrimination, and unequal treatment. This research examines gender-based violence from social, legal, and institutional perspectives, focusing on the relationship between gender inequality, patriarchal social structures, weaknesses in legal implementation, and institutional barriers to justice. The study adopts a qualitative research approach based on secondary sources, including academic literature, international human rights reports, legal documents, and policy publications from 2025 to 2026. It explores how social stigma, economic dependency, inadequate legal awareness, discriminatory attitudes, weak law enforcement, and insufficient institutional resources prevent survivors from accessing effective protection and justice. Particular attention is given to the responsibilities of governments, law enforcement agencies, judicial institutions, healthcare providers, and civil society organizations. The study argues that eliminating gender-based violence requires more than the introduction of protective laws; it demands effective implementation, institutional accountability, survivor-centred services, public awareness, and structural social change. It concludes that protecting individuals from gender-based violence is essential for achieving equality, human dignity, social justice, and the effective realization of fundamental human rights.

KEYWORDS:*Gender-Based Violence, Human Rights, Gender Equality, Social Justice, Legal Protection, Institutional Challenges, Women's Rights, Domestic Violence, Survivor Protection, Access to Justice.*

INTRODUCTION

Gender-based violence is a widespread human rights violation that affects individuals, families, communities, and societies across the world. It is deeply connected with unequal power relationships, discriminatory social structures, gender stereotypes, and the unequal distribution of economic and political opportunities. Although women and girls experience a disproportionate share of many forms of gender-based violence, the concept also recognizes violence directed against individuals because of their gender, gender identity, or socially constructed gender roles. Such violence may occur within homes, workplaces, educational institutions, public spaces, and digital environments. Domestic abuse, sexual assault, harassment, forced marriage, psychological intimidation, and online exploitation demonstrate the different ways in which violence can restrict individual freedom and human dignity Gopang, A. M., Katohar, I. A., & Ali, J. (2026).found that. The United Nations continues to recognize violence against women and girls as a major obstacle to gender equality and sustainable development. Contemporary human rights discussions therefore emphasize that freedom from violence is not simply a matter of personal safety but an essential condition for enjoying education, healthcare, employment, political participation, and equal citizenship.The relationship between gender-based violence and human rights is particularly important because violence directly violates fundamental rights recognized under international human rights standards. These include the right to life, liberty, security, equality, privacy, education, health, and freedom from torture or cruel, inhuman, and degrading treatment. International

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instruments, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), provide important standards for eliminating discrimination and protecting women's rights. However, the existence of international agreements does not automatically guarantee protection at the national level. Governments must translate international obligations into effective domestic legislation, institutional procedures, and accessible support systems. According to the United Nations Development Programme (2025), significant gender-related inequalities continue within justice systems, demonstrating that formal legal recognition does not always result in equal access to justice. This situation highlights the continuing gap between human rights principles and the everyday experiences of individuals facing violence and discrimination.Social and cultural structures play a significant role in maintaining gender-based violence.

In many communities, traditional gender expectations, patriarchal attitudes, unequal family relationships, and social pressure influence how violence is understood and addressed. Victims may be discouraged from reporting abuse because of fear of social rejection, family dishonour, Ebrahim, S. H., Alahmed, B., Ali, A., Koya, S. F., & Memish, Z. A. (2025). Explaind financial insecurity, or retaliation by perpetrators. In some circumstances, violence is normalized as a private family matter rather than recognized as a violation of individual rights. These attitudes create an environment in which perpetrators may avoid accountability while survivors experience isolation and psychological distress. Women who lack independent financial resources or employment opportunities may find it particularly difficult to leave abusive relationships. The problem becomes more complicated when social institutions reinforce discriminatory expectations instead of protecting individual freedom and equality. Therefore, addressing gender-based violence requires a critical examination of social attitudes, community practices, economic inequalities, and the power relationships that influence individual experiences.Legal challenges represent another major dimension of gender-based violence. Many countries have introduced legislation addressing domestic violence, sexual harassment, human trafficking, forced marriage, and other forms of gender-related abuse. Nevertheless, differences in legal definitions, inconsistent implementation, weak investigation procedures, Zheng, Z., Rampal, N., Inizan, T. J., Borgs, C., Chayes, J. T., & Yaghi, O. M. (2025).revealed lengthy court proceedings, and limited access to legal assistance continue to undermine effective protection. Survivors may face insensitive questioning, victim-blaming attitudes, inadequate evidence collection, and procedural delays when approaching law enforcement or judicial institutions. The Human Rights Commission of Pakistan (2026), in its assessment of human rights conditions during 2025, identifies continuing vulnerabilities and discrimination affecting women and other marginalized communities. Such challenges demonstrate that legal reform must be accompanied by effective implementation and independent institutional oversight.

A rights-based legal system should provide accessible reporting procedures, fair investigations, protection against intimidation, legal representation, and appropriate remedies for survivors.Institutional weaknesses further increase the difficulties faced by individuals experiencing gender-based violence. Police departments, courts, healthcare institutions, shelters, social welfare agencies, and human rights commissions all have responsibilities in preventing violence and supporting survivors. However, insufficient funding, inadequate professional training, limited coordination, poor communication, and a lack of specialized services may prevent these institutions from fulfilling their responsibilities effectively. Survivors often need several forms of assistance simultaneously, including medical treatment,

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psychological counselling, legal support, emergency accommodation, and financial assistance. When institutions operate separately without coordinated referral systems, survivors may be forced to repeat traumatic experiences and navigate complicated administrative procedures. UN Women's 2025 report on funding pressures affecting organizations working to end violence against women and girls highlights the importance of adequately resourced support services and civil society organizations. Institutional effectiveness must therefore be evaluated not only through the existence of policies but also through the quality, accessibility, continuity, and accountability of actual services.The emergence of digital technologies has introduced additional forms of gender-based violence that require stronger human rights protection. Online harassment, cyberstalking, non-consensual sharing of intimate images, impersonation, threats, coordinated intimidation, and digital exploitation can seriously affect personal security, privacy, reputation, and freedom of expression. Digital violence may also extend into physical environments when personal information is exposed or online threats lead to offline intimidation. Pakistan's National Strategy to Address Technology-Facilitated Gender-Based Violence 2026–2030 recognizes the importance of coordinated prevention, protection, prosecution, and response mechanisms. The strategy demonstrates that contemporary gender-based violence cannot be addressed exclusively through traditional legal and social protection systems.

Digital platforms, law enforcement agencies, educational institutions, and policymakers must cooperate to create safer online environments while protecting freedom of expression and privacy. This emerging dimension makes technological accountability an important component of modern human rights protection.Gender-based violence also has serious consequences for social and economic development. Survivors may experience physical injuries, psychological trauma, depression, anxiety, social isolation, reduced educational opportunities, and long-term economic insecurity. Violence in workplaces and educational institutions can discourage participation, reduce productivity, and restrict professional development. At the family level, exposure to violence may negatively influence children's emotional development, educational performance, and understanding of social relationships. At the national level, gender-based violence increases pressure on healthcare systems, judicial institutions, social protection services, and economic resources. It also prevents societies from fully benefiting from the participation and abilities of women and other marginalized individuals. Human Rights Watch (2026) documents continuing concerns about violence against women and girls in Pakistan, including domestic violence, sexual violence, honour-based killings, and forced marriage. These concerns reinforce the importance of viewing gender-based violence as a wider social development and human rights issue rather than an isolated criminal matter.

RESEARCH OBJECTIVES

1. To examine gender-based violence as a violation of fundamental human rights and identify its major social, legal, and institutional causes.

RESEARCH QUESTIONS

1. How does gender-based violence violate fundamental human rights and what social, legal, and institutional factors contribute to its continuation?

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LITERATURE REVIEW

Contemporary literature on gender-based violence increasingly considers violence as a structural human rights problem rather than an individual or isolated social incident. Recent international research emphasizes that unequal power relationships, discriminatory social expectations, and institutional weaknesses contribute to the continuation of violence against women and girls. The United Nations Human Rights Council's 2025 report on new frontiers and emerging issues in sex-based violence examines changing forms of violence and the need to strengthen international protection standards (Alsalem, 2025). This perspective demonstrates that gender-based violence must be understood within wider discussions of equality, personal autonomy, security, and state responsibility. The literature also indicates that effective prevention requires governments to address both direct acts of violence and the underlying social structures that permit discrimination and abuse to continue.Legal protection and access to justice have received considerable attention in recent human rights discussions. Diugwu, C. J. F., Ndulue, T., & Okpe, E. (2025). Elaborated Although many countries have established laws addressing domestic violence, sexual assault, harassment, and discrimination, the practical implementation of these laws remains uneven. The United Nations Development Programme (2025) highlights significant inequalities in access to legal rights and justice, indicating that formal legal protections do not necessarily produce equal outcomes. Survivors may encounter difficulties in reporting incidents, obtaining legal assistance, securing protective measures, and completing lengthy judicial procedures. These barriers demonstrate that the effectiveness of legal protection depends on the accessibility and quality of justice institutions. Recent literature consequently emphasizes the importance of gender-sensitive investigations, effective prosecution, independent monitoring, and legal remedies that protect survivors without compromising fair trial standards.Social norms and patriarchal attitudes are also identified as important factors contributing to gender-based violence. Research in this area explains that gender discrimination may become normalized through family structures, community expectations, unequal economic relationships, and traditional understandings of authority.

Such attitudes can influence the responses of relatives, community leaders, employers, police officers, and other institutional representatives. Anwar, S., & Zaheer, M. A. (2026)found that The Human Rights Commission of Pakistan (2026) highlights continuing vulnerabilities affecting women in Pakistan and identifies the wider human rights context in which gender-related discrimination persists. Similarly, Human Rights Watch (2026) documents several forms of violence against women and girls in Pakistan. These reports indicate that legal intervention must be supported by community education, social awareness, and efforts to challenge attitudes that justify or conceal violence.Another important area of literature examines the relationship between economic inequality and survivors' ability to seek protection. Financial dependency, unemployment, unequal property rights, and limited access to education can increase vulnerability and restrict individual choices. Survivors who depend economically on perpetrators may be unable to secure independent accommodation, legal representation, healthcare, or financial stability after leaving abusive environments. UN Women's 2025 report, *At Risk and Underfunded*, draws attention to the financial difficulties experienced by women's rights and civil society organizations that provide shelters, legal aid, psychosocial support, and prevention programmes. The report demonstrates that effective responses to gender-based violence require sustained investment in both public institutions and community-based organizations. Economic empowerment and accessible social

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protection are therefore important elements of long-term prevention and survivor recovery.Institutional responses have also become a central theme in contemporary literature. Police departments, courts, hospitals, shelters, and social welfare institutions are expected to provide coordinated services to survivors. However, limited resources, inadequate professional training, administrative delays, and weak referral mechanisms can reduce the effectiveness of institutional interventions. Long et al. (2025), in their research on fragmented support services, examine the difficulties experienced by women when accessing health and social support systems. Their work highlights the importance of understanding survivors' experiences across different service environments. This research supports the argument that institutional protection should be coordinated, accessible, respectful, and responsive to individual needs. Institutions must also develop procedures that reduce repeated trauma and ensure that survivors receive timely assistance Javaid, U., & Mashhood, M. (2026).revealed.Technology-facilitated gender-based violence has emerged as an increasingly important subject within recent literature. Digital platforms provide opportunities for communication,

education, employment, and public participation, but they can also be used to threaten, exploit, harass, and intimidate individuals. The United Nations in Pakistan (2026) identifies the need for a national response to technology-facilitated gender-based violence through stronger prevention, protection, prosecution, and institutional coordination. Pakistan's National Strategy 2026–2030 recognizes digital safety as an important component of gender equality and human rights. This development demonstrates that existing approaches to gender-based violence must expand to address online harms, digital evidence, platform accountability, and the protection of privacy. The literature therefore supports the development of specialized investigative procedures and digital awareness programmes.International human rights literature further emphasizes the relationship between gender-based violence, conflict, displacement, and social instability. Women and girls living in conflict-affected areas may face increased risks of sexual violence, forced displacement, exploitation, and restricted access to essential services. The United Nations' 2025 reporting on women, peace, and security highlights the continuing challenges to women's rights and the importance of maintaining international commitments to gender equality. Such research suggests that protection mechanisms must respond to the particular needs of individuals experiencing displacement, poverty, political instability, and humanitarian emergencies. It also demonstrates that governments and international organizations have responsibilities to prevent violence, investigate violations, and provide effective remedies regardless of the social or political circumstances in which abuse occurs.

METHODOLOGY

The present study adopts a qualitative methodology to examine gender-based violence as a multidimensional human rights issue. The research is based on secondary data collected from academic publications, international human rights reports, legal and policy documents, and institutional publications issued during 2025 and 2026. A qualitative approach is appropriate because the study focuses on understanding social attitudes, legal challenges, institutional responsibilities, and the experiences and protection needs of survivors as represented in existing literature. Rather than relying on numerical measurement alone, the research examines the meanings, relationships, and institutional processes that influence the continuation of gender-based violence. The methodology provides a systematic foundation

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for evaluating the gap between formal human rights commitments and their practical implementation. The third area of analysis focuses on institutional performance and the quality of survivor support. Evidence from contemporary reports indicates that survivors often require coordinated medical, psychological, legal, social, and economic assistance. When relevant institutions lack adequate funding, trained personnel, specialized facilities, or effective referral systems, survivors may experience additional difficulties. The analysis therefore emphasizes the need for cooperation between police departments, courts, healthcare institutions, shelters, social welfare agencies, and civil society organizations. Institutional accountability should include transparent complaint procedures, appropriate monitoring, professional training, and regular evaluation of service delivery. The findings also suggest that digital protection mechanisms must become part of broader institutional strategies because online abuse can have serious consequences for privacy, security, reputation, and personal freedom.

RESEARCH APPROACH

The study follows an interpretive and analytical research approach. The interpretive dimension helps examine how gender norms, cultural expectations, discriminatory attitudes, and unequal power relationships influence the understanding and acceptance of gender-based violence. It also considers how survivors may experience social stigma, exclusion, and difficulties in accessing justice. The analytical dimension evaluates existing legal frameworks, institutional responsibilities, and policy responses to identify weaknesses and opportunities for improvement. This combination allows the research to examine gender-based violence as both a social phenomenon and a human rights concern. The approach also recognizes that experiences of violence may differ according to economic circumstances, geographical location, age, disability, and access to social and legal support.The research further uses a human rights-based analytical perspective to evaluate the responsibilities of governments and public institutions. This perspective considers the principles of equality, non-discrimination, dignity, accountability, participation, and access to effective remedies. It examines whether legal and institutional arrangements provide meaningful protection rather than merely establishing formal rights. Particular attention is given to the obligations of law enforcement agencies, judicial institutions, healthcare providers, and social welfare organizations. The approach also recognizes the importance of survivor participation in policy development and institutional decision-making. In this way, the study connects international human rights standards with practical questions of prevention, protection, investigation, and accountability.A comparative documentary approach is also used to examine international and Pakistan-related policy developments. International reports and national policy documents are considered to understand similarities and differences in the challenges faced by legal and institutional systems.

RESEARCH DESIGN

The research employs a descriptive and analytical design to examine the major forms, causes, and consequences of gender-based violence. The descriptive component identifies different forms of violence, including domestic abuse, sexual harassment, forced marriage, psychological violence, economic exploitation, and technology-facilitated abuse. It also describes the human rights affected by these practices and the responsibilities of relevant institutions. The analytical component explores the relationships between discriminatory

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social norms, gaps in legal protection, and weaknesses in institutional responses. This design provides a structured understanding of how different factors contribute to the continuation of gender-based violence and why isolated interventions may fail to produce sustainable results.The second dimension of the research design focuses on documentary analysis of contemporary academic and institutional sources. Relevant material is selected according to its relationship with gender-based violence, human rights protection, legal accountability, institutional performance, and survivor support. Priority is given to publications from 2025 and 2026 to maintain contemporary relevance. Sources include United Nations publications, human rights assessments, policy strategies, and relevant academic research. The selected material is examined to identify recurring themes, policy developments, institutional challenges, and recommendations. This process enables the study to develop a coherent understanding of the subject without presenting secondary information as original fieldwork or primary survey findings.The third dimension involves thematic organization and interpretation of the collected information. Evidence is organized under major themes, including social and cultural barriers, legal protection, institutional accountability, economic vulnerability, digital violence, and survivor-centred support. Each theme is examined in relation to fundamental human rights principles and the responsibilities of relevant institutions. The study then compares the findings across different sources to identify common concerns and areas requiring further attention. This design supports the development of practical recommendations for improving prevention, legal protection, institutional coordination, and access to justice. Since the research uses secondary information, its findings represent a documentary synthesis rather than statistically representative conclusions from a new population survey.

DATA ANALYSIS

The data analysis focuses first on the social dimensions of gender-based violence. The reviewed material indicates that discriminatory gender expectations, patriarchal attitudes, social stigma, and economic dependency can create conditions in which violence is tolerated, concealed, or inadequately challenged. Social pressure may prevent survivors from reporting abuse or seeking institutional assistance, particularly when they fear family rejection, retaliation, or financial hardship. The analysis also highlights the importance of education and community awareness in challenging attitudes that normalize violence. These findings suggest that social transformation must accompany legal and institutional interventions. Public education, gender equality programmes, community engagement, and economic empowerment can help reduce the structural conditions that contribute to violence.The second area of analysis examines legal frameworks and access to justice. The reviewed literature demonstrates that legal recognition is important but insufficient when laws are poorly implemented or survivors cannot access effective remedies. Weak investigation procedures, limited legal assistance, court delays, inadequate protective measures, and discriminatory attitudes can prevent survivors from obtaining justice. The analysis also identifies the importance of clear legal definitions, effective evidence collection, trained investigators, independent judicial processes, and protection against intimidation. Pakistan's 2026 national strategy on technology-facilitated gender-based violence illustrates the growing recognition of the need for coordinated legal and policy responses to digital abuse. Overall, the analysis suggests that legal effectiveness should be assessed through implementation, accessibility, fairness, and accountability rather than legislation alone.

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FINDINGS

The research finds that gender-based violence is a complex human rights violation that cannot be explained through individual behaviour alone. It is closely associated with structural inequalities, unequal power relationships, discriminatory gender expectations, and weaknesses in social protection systems. Different forms of violence may occur in private and public environments, but their consequences frequently extend beyond individual survivors to families and communities. The reviewed literature demonstrates that meaningful prevention requires attention to the underlying conditions that allow violence and discrimination to continue. Therefore, policies focusing exclusively on punishment after violence occurs may not be sufficient to achieve long-term social change.A major finding is that social and cultural barriers significantly influence survivors' decisions to report violence and seek assistance. Social stigma, victim-blaming, family pressure, fear of rejection, and economic dependency may discourage individuals from approaching police departments, courts, and support organizations. These factors can increase isolation and allow perpetrators to continue abusive behaviour without accountability. The study identifies public awareness, gender-sensitive education, community participation, and economic empowerment as important measures for addressing these barriers. Changing discriminatory social attitudes is essential for creating an environment in which survivors can report violence without fear, shame, or social exclusion.The research also finds that gaps between legal recognition and practical implementation remain a major obstacle to human rights protection. The existence of national legislation and international agreements does not automatically guarantee accessible justice. Survivors may experience delays, inadequate investigations, limited legal assistance, and difficulties obtaining protective remedies. These challenges reduce public confidence in justice institutions and may discourage future reporting. The study therefore emphasizes that legal systems must ensure effective investigation, fair judicial procedures, accessible legal representation, appropriate protection measures, and institutional accountability. Legal reform should be measured by its practical impact on the safety and rights of survivors.Another important finding concerns the role of institutional capacity in determining the effectiveness of protection mechanisms. Police departments, healthcare institutions, courts, shelters, and social welfare organizations are essential components of a comprehensive response. However, limited resources, inadequate professional training, and weak institutional coordination can prevent survivors from receiving timely and appropriate assistance.

CONCLUSION

Gender-based violence remains a serious challenge to human rights, gender equality, and social development. The present study demonstrates that violence is closely connected with discriminatory social structures, unequal power relationships, inadequate legal implementation, and institutional weaknesses. Domestic abuse, sexual harassment, forced marriage, psychological violence, economic exploitation, and technology-facilitated abuse restrict individual freedom and undermine the fundamental principles of dignity, equality, and security. Although international agreements and national laws provide important foundations for protection, their effectiveness depends on practical implementation and the willingness of institutions to fulfill their responsibilities. The research therefore emphasizes that gender-based violence must be addressed as a structural human rights concern requiring coordinated and sustained action.The study also concludes that social transformation and

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effective legal protection must operate together. Discriminatory attitudes, social stigma, family pressure, economic dependency, and inadequate awareness can prevent survivors from seeking assistance. At the same time, weak investigations, lengthy court proceedings, limited legal support, and insufficient institutional resources can undermine access to justice. Governments must strengthen legal frameworks, improve institutional capacity, provide adequate funding, and ensure that survivors can access confidential and respectful services. Educational institutions, community organizations, and civil society groups also have an important responsibility to challenge discriminatory attitudes and promote equality. Particular attention should be given to individuals experiencing multiple forms of disadvantage, including those affected by poverty, disability, displacement, and limited access to public services.In conclusion, eliminating gender-based violence requires a comprehensive human rights-based strategy that combines prevention, protection, prosecution, and institutional accountability. Governments must ensure that laws are implemented effectively, justice institutions operate fairly, and survivors receive timely medical, psychological, legal, and social support. Emerging forms of digital violence must also be addressed through appropriate legislation, specialized investigation, and responsible digital governance. Long-term progress depends on creating societies in which equality is respected, violence is not tolerated, and every individual can exercise fundamental rights without fear or discrimination. Protecting people from gender-based violence is therefore not only a legal responsibility but also a moral, social, and institutional obligation essential for achieving justice, dignity, and sustainable development.

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