

# Protection of Human Rights Against Women in an International Legal Perspective

Salvia Salsabila Putri Kastiady<sup>a✉</sup>, Rayi Kharisma  
Rajib<sup>a</sup>, Mutmainah Nur Qoiri<sup>a</sup>, Zulfikar Ahmad Nur  
Salikin<sup>b</sup>

<sup>a</sup> Universitas Negeri Semarang, Semarang, Indonesia

<sup>b</sup> Universiti Utara Malaysia, Kedah, Malaysia

✉ Corresponding email: [salviaputri@gmail.com](mailto:salviaputri@gmail.com)

## Abstract

The protection of human rights for women has been a central issue in international law, reflecting the evolving recognition of gender equality and the need to address systemic inequalities. Historically, women have been marginalized in both legal and societal structures, facing discrimination, violence, and economic disparity. However, over the past century, a series of international conventions, treaties, and declarations have sought to safeguard women's rights globally. Notably, the Universal Declaration of Human Rights (UDHR), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and various regional instruments have played pivotal roles in shaping legal norms that promote gender equality and protect women from abuses. Despite these legal frameworks, challenges persist in the effective implementation and enforcement of women's rights protections. Cultural, political, and socio-economic barriers continue to obstruct the realization



Copyrights © Author(s). This work is licensed under a Creative Commons Attribution-ShareAlike 4.0 International License. (CC BY-SA 4.0). All writings published in this journal are personal views of the author and do not represent the views of this journal and the author's affiliated institutions.

of gender equality in many regions, and women often remain vulnerable to violence, exploitation, and discriminatory practices. The international legal system, through the work of organizations such as the United Nations, has made strides in encouraging state accountability and establishing standards for the treatment of women, but gaps in enforcement mechanisms, state sovereignty, and varying cultural norms complicate the protection process. This paper explores the international legal frameworks designed to protect women's human rights, evaluates the effectiveness of these mechanisms, and examines the ongoing obstacles to achieving comprehensive gender equality. The study highlights the need for continued advocacy, stronger enforcement, and collaboration among global institutions to advance the protection of women's rights and ensure their full participation in all spheres of life.

**KEYWORDS** *Women Protection, Human Rights Protection, International Legal Framework*

## Introduction

The protection of human rights for women has become an increasingly prominent concern within the framework of international law.<sup>1</sup> Historically marginalized and subjected to systemic discrimination, women across the world have faced unique and persistent violations of their fundamental rights—ranging from inequality before the law to gender-based violence, lack of access to education, healthcare, and political participation. In response to these injustices, the international legal community has developed a comprehensive body of norms and instruments aimed at safeguarding women's rights and promoting gender equality.<sup>2</sup>

---

<sup>1</sup> Askin, Kelly Dawn, and Dorean Koenig. *Women and International Human Rights Law: Volume 3*. Martinus Nijhoff Publishers, 2023; Hevener, Natalie Kaufman. *International law and the status of women*. Routledge, 2019.

<sup>2</sup> See Setiawan, Sarno, et al. "Community empowerment on establishment of friendly-village for women and children." *Indonesian Journal of Advocacy and Legal Services* 1, no. 1 (2019): 5-22; Mangku, Dewa Gede Sudika, Ni Putu Rai Yulianti,

Key among these are the Universal Declaration of Human Rights (1948), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979), and subsequent protocols and declarations that recognize the need for specific legal protections for women. These instruments underscore the principle that women's rights are an inseparable part of universal human rights and obligate states to take positive measures to eliminate gender-based discrimination.<sup>3</sup>

Despite the establishment of these legal frameworks, significant gaps remain between the legal recognition of women's rights and their practical realization, particularly in contexts affected by poverty, conflict, political instability, and patriarchal cultural norms. This paper seeks to explore the international legal mechanisms developed to protect women's rights, evaluate their effectiveness, and analyze the challenges that hinder their implementation in various regions. By adopting a normative and comparative approach, the study aims to contribute to a deeper understanding of how international law addresses the protection of women's human rights and what reforms may be necessary to enhance its impact globally.<sup>4</sup>

---

and I. Wayan Lasmawan. "Legal Protection for People with Disabilities in Indonesia in the Perspective of Justice Theory." *Unnes Law Journal* 8, no. 2 (2022): 245-262; Putra, Septeryan Dwi Purnomo. "Protection against Indonesian Women Workers." *Lex Scientia Law Review* 3, no. 1 (2019): 79-86; Choirunnisa, Sutiani. "Legal protection against women victims of sexual harassment through social media (cyberporn)." *The Indonesian Journal of International Clinical Legal Education* 3, no. 3 (2021): 367-380.

<sup>3</sup> Udavant, Esha. "Cedaw and the Human Rights of Women: An Overview." *European Journal of Humanities and Educational Advancements* (2022): 78-82; Şener, Mustafa Burak. "A review of the meaning and importance of the Universal Declaration of Human Rights." *Uluslararası Politik Araştırmalar Dergisi* 7, no. 3 (2021): 15-25.

<sup>4</sup> Tastama, Ridho Dwiky. "The Position of Women in International Relationship: A Book Review Gender & Hubungan Internasional, Ani Seotjipto, Jelasutra Bandung, 2013, 320 pages, ISBN 978-602-825-293-5." *Journal of Indonesian Legal Studies* 4, no. 1 (2019): 161-166; Arifin, Ridwan, Rodiyah Rodiyah, and Fadhilah Rizky Afriani Putri. "The Legal and Social Aspect for Underage Marriage Women's Education Rights in the Perspective of Human Rights: Contemporary Issues and Problems." *Sawwa: Jurnal Studi Gender* 15, no. 2 (2020): 219-240; Setiawan,

Furthermore, the authority of each country has the most important subject of law, and this also applies to international law. The main condition for the establishment of a country is as a sovereign and independent country; have a territory with clear boundaries and is fully inhabited; and have a legitimate government, which allows the country to establish relations with international law. In addition to being the subject of international law, the state is also responsible for protecting human rights as regulated in international human rights instruments. Human rights are fundamental rights owned by every individual. In the Universal Declaration of Human Rights, it is stated that human rights are natural rights bestowed by God on every human being and cannot be separated from the essence of humanity. Therefore, everyone deserves a decent life, freedom, security, and personal happiness.<sup>5</sup>

One approach to realizing the protection of human rights is through international law. International law is a collection of norms, rules, and principles that govern relations between countries, covering aspects of peace, security, economy, and socio-culture. In the context of human rights, international law plays an important role, as it establishes norms that protect human rights, both in conflict situations and in everyday life. The existence of these rights and human rights needs to be recognized by the state to ensure that the people or their citizens can live in accordance with the applicable legal regulations. This can be done through the process of forming legislation with the institutions of the people's representatives

---

Andry, et al. "Gender Based Violence in Higher Education: A Model of Protection and Law Enforcement." *Indonesian Journal of Advocacy and Legal Services* 5, no. 1 (2023): 65-80.

- <sup>5</sup> Philip, Christanugra. "Tanggung Jawab Negara Terhadap Perlindungan Hak Asasi Manusia Menurut Hukum Internasional." *Lex Administratum* 4, no. 2 (2016); Arifin, Ridwan. "Revealing the Other Side of Human Rights Issue: How We Look to the Existed Various Problems." *Journal of Indonesian Legal Studies* 2, no. 1 (2017): 79; Indrayanti, Kadek Wiwik, Anak Agung Ayu Nanda Saraswati, and Eka Nugraha Putra. "Questioning human rights, looking for justice: Analyzing the impact of supreme court circular letter on interfaith marriages in Indonesia." *Journal of Indonesian Legal Studies* 9, no. 1 (2024): 385-416; Larasati, Ayu Maulidina, and Novia Puspa Ayu. "The education for gender equality and human rights in Indonesia: Contemporary issues and controversial problems." *The Indonesian Journal of International Clinical Legal Education* 2, no. 1 (2020): 73-84.

as well as involvement in international conventions. It is set forth in Article 2 of the Universal Declaration of Human Rights, which states "*that every individual is entitled to all the rights and freedoms enumerated in this declaration without exception, such as race, color, sex, language, religion, politics, or different opinions, origin, property, birth, or social standing.*"<sup>6</sup>

Through the international legal framework, states have an obligation to recognize, respect, and protect the human rights of their citizens. The State is also responsible for any human rights violations that occur within its jurisdiction. International law, thus, provides a legal basis for upholding and protecting human rights at the global level. By ensuring the application of human rights norms in the international context, it is hoped that a more just world will be created and that respects the rights of every individual. International law creates a human rights enforcement mechanism that aims to ensure that human rights standards and principles are respected and protected. This mechanism can involve non-judicial international cooperation, as well as international courts that provide legal certainty in dealing with human rights violations. Global legal instruments such as the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social, and Cultural Rights (ICESCR), are the basis for upholding the fundamental rights of every individual around the world. International law plays an important role in establishing human rights standards and principles that must be upheld by all countries.<sup>7</sup>

Human rights have been an important topic since the end of World War II and the establishment of the United Nations in 1945. The United Nations or the United Nations is an international organization responsible for world peace, global security, and the protection of human rights internationally. The United Nations plays an important role in carrying

---

<sup>6</sup> Humphrey, John P. "The Universal Declaration of Human Rights: Its history, impact and juridical character." *Human rights: Thirty years after the Universal Declaration*. Brill Nijhoff, 1979, pp. 21-37.

<sup>7</sup> Kälin, Walter, and Jörg Künzli. *The law of international human rights protection*. Oxford University Press, 2019; Heintze, Hans-Joachim. "On the relationship between human rights law protection and international humanitarian law." *International Review of the Red Cross* 86, no. 856 (2004): 789-814.

out its duties. This International Organization was founded on October 24, 1945 by 51 countries to replace the LBB in maintaining world peace and security. Through the United Nations, rules and regulations are made to protect human rights around the world. Over time, the discourse on human rights continues to evolve as public awareness of their rights and obligations increases. The general principles on human rights adopted by the United Nations General Assembly in 1948 have been seen as a standard reference in the implementation and enforcement of human rights, especially for countries that are members of the international organization to date. These general principles are known as the Universal Declaration of Human Rights. Although this declaration is not a legally binding document, some of the provisions in it may deviate from existing and generally accepted regulations. However, some of these provisions govern general principles of law or reflect basic views on humanity. More importantly, the declaration's status as a reliable guideline, produced by the General Assembly, provides an interpretation that is considered indirectly valid and recognized by the General Assembly and is considered part of United Nations law.<sup>8</sup>

There are human rights violations including armed conflict, political violence, and discrimination against minority groups, which have become part of daily life in various regions. In addition, the suppression of civil and political rights, such as freedom of speech, religion, and participation in government, is also included in the category of human rights violations. In a context like this, the protection of human rights is very crucial. Human rights protection not only means providing the rights that every human being needs, but also includes protection for groups that are victims of human rights violations.<sup>9</sup>

---

<sup>8</sup> Humphrey, John P. "International Protection of Human Rights." *The Annals of the American Academy of Political and Social Science* 255, no. 1 (1948): 15-21.

<sup>9</sup> Andiani, Tara Nadya, FX Hastowo Broto Laksito, and Jose Gama Santos. "Evidence from Indonesia on the legal policy confronting discrimination of minority groups based on race and ethnicity." *Wacana Hukum* 29, no. 2 (2023): 146-162; Mukhlis, Mukhlis, et al. "Rejection of Former Shia Community in Sampang Perspective on Human Rights Law: Discourse of Religious Rights and Freedom in Indonesia." *Lex Scientia Law Review* 7, no. 2 (2023): 959-994.



A stark example of gross human rights violations can be seen in the case of the Rohingya minority in Myanmar, which has drawn international condemnation. The Myanmar government has been widely accused of committing acts of genocide against this ethnic group, leading to widespread displacement, violence, and systemic discrimination. Although the Rohingya have lived for generations in northern Rakhine State and other western regions of Myanmar, they are not recognized as citizens and are instead classified as illegal immigrants of Bengali origin. As a result, they are denied basic rights and legal protections under Myanmar law. Currently, around 600,000 Rohingya remain in the country under increasingly oppressive conditions.<sup>10</sup>

Among the most vulnerable within this population are Rohingya women, who face disproportionate and gender-specific forms of violence, including sexual violence, forced displacement, and denial of access to healthcare, education, and legal recourse. Their plight illustrates how violations of human rights during armed conflict or systemic persecution often have a unique and devastating impact on women. This case highlights the urgent need for international legal frameworks not only to address general human rights violations, but also to provide targeted protection for women, particularly in contexts where both gender and ethnic identity intersect to heighten vulnerability. In this light, the Rohingya crisis underscores the importance of strengthening international legal mechanisms for the protection of women's human rights in situations of conflict, persecution, and statelessness.<sup>11</sup>

---

<sup>10</sup> Rasyid, Sulaiman, et al. "The Role of Indonesian Diplomacy in Managing the Conflict between The Myanmar Government and The Rohingya Muslim Ethnic." *Unnes Law Journal* 8, no. 1 (2022): 159-178; Utami, Mumpuni Tri. "The Implementation of Non-Refoulement Principle in Case of Rohingnya." *The Digest: Journal of Jurisprudence and Legisprudence* 1, no. 2 (2020): 197-222.

<sup>11</sup> Thontowi, Jawahir. "Perlakuan Pemerintah Myanmar terhadap Minoritas Muslim Rohingya Perspektif Sejarah dan Hukum Internasional." *Pandecta Research Law Journal* 8, no. 1 (2013); Aulya, Layla Putri, Ridwan Arifin, and Robert Brian Smith. "The Urgency of the International Criminal Court's (ICC) Jurisdiction in Handling Serious Violations of Human Rights Case of the Uyghur." *The Digest: Journal of Jurisprudence and Legisprudence* 4, no. 1 (2023): 95-122; Hidayah, Syarifatul. "State Responsibility in Protecting Human Rights: An International

The Rohingya community in Myanmar has suffered extensive and systematic human rights violations, including acts amounting to genocide. Beyond forced displacement, many Rohingya have been subjected to extrajudicial killings, mass executions, and the destruction of entire villages through arson, resulting in significant civilian casualties. Reports also document widespread arbitrary arrests, restrictions on religious freedom, rape and sexual violence, property confiscation, forced labor, and employment discrimination. These abuses have been part of a broader state-led campaign targeting the Rohingya population based on their ethnic and religious identity. The denial of citizenship, coupled with a narrative that portrays them as illegal immigrants, has further entrenched their vulnerability and exclusion.

Given the scale and severity of these violations, particularly the gendered impact on Rohingya women, there is an urgent need for stronger international legal protection. Legal mechanisms must aim not only to hold perpetrators accountable but also to eliminate systemic discrimination and ensure the protection and recognition of the Rohingya as a distinct ethnic group under international law.

This paper adopts a normative legal research method, utilizing secondary data sourced from academic literature, legal instruments, and journal articles. This doctrinal approach allows for a systematic analysis of existing legal norms and their applicability to the Rohingya crisis. The use of legal texts and international human rights frameworks provides a strong foundation for evaluating state obligations and proposing legal solutions. This method is appropriate for the chosen topic, aiming to generate both scholarly insight and practical recommendations for enhancing the protection of women and minority groups under international human rights law.

---

Legal Perspective." *International Law Discourse in Southeast Asia* 2, no. 2 (2023): 279-304.



## Protection of Human Rights in International Law: Problems and Challenges for Women Protection

In the book *Human Rights Education*, as quoted by Baharuddin Lopa, Jan Martenson of the United Nations Commission on Human Rights stated that *human rights are inherent rights granted to every individual from birth, and that a person cannot live as a human being without these rights*. This highlights the universality and indispensability of human rights for every person, including women, whose rights have historically been marginalized.<sup>12</sup> Similarly, John Locke argued that *human rights are granted directly by God the Almighty*, emphasizing their inalienable and universal nature.<sup>13</sup>

This philosophical and moral foundation is reflected in Article 1 of Law Number 39 of 1999 concerning Human Rights in Indonesia, which defines human rights as “*a set of rights inherent in the nature and existence of human beings as creatures of God Almighty, and are His gifts that must be respected, upheld, and protected by the state, law, government, and every person, for the honor and protection of human dignity and worth.*”<sup>14</sup>

Applying these universal principles to the context of women’s rights is critical, as women face distinct and pervasive violations—especially in conflict and crisis situations—where their rights are often denied or ignored. This paper situates the protection of women’s human rights within this international legal and normative framework, emphasizing the obligation of states and the international community to uphold, respect, and enforce these rights, thereby ensuring gender equality and protection against discrimination and violence.

---

<sup>12</sup> Tibbitts, Felisa, and William R. Fernekes. "Human rights education." *Teaching and studying social issues: Major programs and approaches* (2011): 87-117; Bajaj, Monisha. "Human rights education: Ideology, location, and approaches." *Human Rights Quarterly* 33.2 (2011): 481-508.

<sup>13</sup> Przetacznik, Franciszek. "Individual Human Rights in John Locke's Two Treatises of Government." *Netherlands International Law Review* 25, no. 2 (1978): 195-216.

<sup>14</sup> Haryanto, Tenang, et al. "Pengaturan tentang Hak Asasi Manusia Berdasarkan Undang-Undang Dasar 1945 Sebelum dan Setelah Amandemen." *Jurnal Dinamika Hukum* 8, no. 2 (2013): 136-144.

The English Magna Charta of 1215 recognized human rights. The document shows that the king can be held accountable and has a limit of power. This leads to the idea that no individual is immune from the law, including the king. The principle of "*equality before the law*", which affirms that everyone has an equal standing before the law, comes from a bill of rights created by the British monarchy in 1689, known as the Bill of Rights.<sup>15</sup>

During the 18th century, philosophers such as John Locke, Montesquieu, and Immanuel Kant clarified the idea that human rights are universal rights that are not limited to social status or citizenship, which prompted international law to protect human rights. Although these ideas existed in the beginning, the protection of human rights only became a major concern at the international level after World War II. In 1945, the United Nations (UN) became a very important organization to push the agenda for the protection of human rights. In the same year, the Charter of the United Nations established the basic principles for the protection of human rights around the world, including equality, freedom, and non-discrimination.

The General Declaration of Human Rights, created in 1948, is the next step. The Universal Declaration of Human Rights (UDHR) is the main law that regulates human rights in history. The declaration was proclaimed by the United Nations General Assembly in Paris on December 10, 1948 (General Assembly resolution 217 A), marked the beginning of the universal recognition of human rights throughout the world, and was drafted by representatives from different legal and cultural backgrounds from all regions of the world.

Subsequently, in 1966, the United Nations issued the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR). Both covenants show great progress in international agreements that bind countries to respect, protect, and fulfill human rights. The United Nations

---

<sup>15</sup> Miguel, Alfonso Ruiz. "Equality before the Law and Precedent." *Ratio Juris* 10, no. 4 (1997): 372-391; Carpenter, David. "Magna Carta 1215: its social and political context." *Magna Carta: history, context and influence*. London: School of Advanced Study, University of London (2018): 17-24.

creates institutions and mechanisms to protect human rights. The Human Rights Commission (1946–2006) was also responsible for promoting and preventing human rights violations as a whole. The Commission establishes standards and principles to establish a global framework to protect human rights. The UN General Council has the authority to issue statements and declarations on human rights as the legislative body of the United Nations. These decisions encourage global thinking and norms that support the protection of human rights. The General Assembly allows all member states to speak and act on human rights issues.

In addition, the United Nations Human Rights Council was established as a more advanced institution. The Council has an important responsibility for promoting and protecting human rights and monitoring the implementation of human rights-related treaties. This mechanism provides an opportunity for UN member states to meet their commitments to protect human rights and provide for stricter oversight. Despite this positive progress, there are still many challenges in international law enforcement related to human rights. Some countries refuse to ratify human rights treaties, which can result in less effective protection systems. In addition, international law enforcement mechanisms are considered ineffective enough in dealing with human rights violations, so it is necessary to improve inequalities in power and influence between countries are also barriers. Some countries have greater influence in setting the agenda and implementing human rights, while others may have difficulty in ensuring that the rights of their citizens are recognized and respected. Efforts continue to be made to address these challenges so that human rights protection mechanisms can become more inclusive, effective, and responsive to the needs of all global communities.

## **International Legal Instruments Governing the Protection of Human Rights**

International law can be defined as a body of rules, treaties, and principles that are legally binding and govern the relationships between states and other international actors. Beyond regulating state-to-state interactions, international law also applies to individuals, outlining their rights and obligations in the global arena. As such, it serves as a framework

of norms that guide the behavior of both states and individuals under international jurisdiction. In contemporary practice, international law extends far beyond its traditional focus on peace and security. It encompasses a wide range of areas including politics, economics, technology, environmental protection, decolonization, and, importantly, human rights. The overarching goal of international law is to promote global welfare, harmony, and the sustainable coexistence of nations and peoples.<sup>16</sup>

The most basic dignity in human life is inherent in the individual, namely human rights. As subjects of international law, societies and states have an obligation to protect and respect these rights. In making rules and regulations as well as international agreements, all countries consider human rights as a reference to protect human rights. Then rules are made that are binding and approved by countries from international treaties so that this legal document becomes a guide for countries around the world in complying with the rules of International Law, known as the Instrument of International Law. Instruments of International Law are rules that regulate and bind in International Law, including rules on human rights. In reality, this Instrument of International Law was created through mutual agreement with the aim of protecting the Human Rights of the international community. It is hoped that all forms of cruelty, injustice, and human rights violations can be stopped.<sup>17</sup>

Under the struggle of the United Nations, international human rights instruments developed very rapidly. This instrument includes international covenants, conventions, statutes, and other standards. In addition, these international human rights instruments are not limited to declarations, proclamations, codes of conduct, basic principles, recommendations, and rules of action. There are two types of international legal instruments that regulate the protection of human rights, namely:

---

<sup>16</sup> Shaw, Malcolm N. *International Law*. Cambridge University Press, 2017. *See also* Klabbers, Jan. *International Law*. Cambridge University Press, 2020.

<sup>17</sup> d'Amato, Anthony. "The concept of human rights in international law." *Columbia Law Review* 82, no. 6 (1982): 1110-1159; Simmons, Beth A. *Mobilizing for human rights: international law in domestic politics*. Cambridge University Press, 2009.

## **1. General Instruments**

### **a. United Nations (United Nations) (1945)**

The United Nations (UN) is an international organization established on October 24, 1945 after World War II, with the primary purpose of preventing conflicts around the world and promoting peace and cooperation between countries. The United Nations is made up of 193 member states and has various specialized agencies and bodies for various things, such as maintaining peace, developing the economy, protecting human rights, and providing humanitarian assistance. The General Assembly, the main body of the United Nations, serves as a place to speak and make decisions on world affairs, while the Security Council is responsible for international security and order. The United Nations assists countries in addressing economic, social, and environmental issues as well as establishing and implementing international conventions such as human rights. The United Nations strives to create a more peaceful, just, and prosperous world for all through its mission and programs.

### **b. Universal Declaration of Human Rights (UDHR) (1948)**

The General Declaration on Human Rights was promulgated on December 10, 1948, three years after the founding of the United Nations. The declaration consists of thirty articles that call on the people to support and ensure the recognition and respect of human rights and freedoms mentioned in it. The declaration of rights combines liberal ideas—which originated in the ideas of freedom and fraternity that originated in the French revolution—with socialist ideas—which include economic, social, and cultural rights. Since almost every article begins with the word "*everyone*" has rights or rights, the declaration is more accommodating to individual rights when viewed from the formulation of the articles.

Articles 1 and 2 of the DUHAM state that everyone is born with equal dignity and rights. They affirm that everyone is entitled to all the rights and freedoms established by the declaration without distinction as to race, color, sex, religion, national or social origin, property, birth, or any other status. Furthermore, Articles 3–19 discuss the most important civil rights, Articles 20–21 discuss political rights, and Articles 22–28 discuss economic, social, and cultural rights.

Although the DUHAM does not have the legal force of international treaties, it has significant political, historical, and juridical value. Used in

juridical and political forums, the DUHAM has become an important reference in the drafting of international human rights treaties at the regional level such as the European Charter, the European Convention, and the American Convention. In addition, the DUHAM has become an important reference in the formulation of human rights in the constitutions of countries. The declaration was even used by countries that demanded independence, broke free from colonialism and colonialism, and fought racial discrimination.

**c. International Covenant on Civil and Political Rights (ICCPR) (1966)**

In its session in 1951, after much dispute, the UN General Assembly asked the UN Commission on Human Rights to create a Covenant on civil and political rights that included as many articles as possible claiming the right of everyone to determine their own destiny. The UN Human Rights Commission successfully completed the draft Covenant in accordance with the UN General Assembly decision in 1951. After discussing each article, the UN General Assembly finally ratified the "International Covenant on Civil and Political Rights" and the "Optional Protocol to the International Covenant on Civil and Political Rights" simultaneously through Resolution No. 2200 A (XXI) on December 16, 1966. The Covenant entered into force on March 23, 1976. The purpose of the International Covenant on Civil and Political Rights, or ICCPR, is to ensure that the civil and political human rights topics listed in the DUHAM become legally binding legislation. This agreement also covers other relevant topics. The convention consists of an introduction and 53 Articles, including 6 Chapters and 53 Articles.

Then, on October 28, 2005, Indonesia ratified the ICCPR by issuing Law of the Republic of Indonesia No. 12 of 2005 concerning the Ratification of the International Covenant on Civil and Political Rights, together with the Declaration on Article 1 concerning the Ratification of the International Covenant on Civil and Political Rights.

**d. International Convention on Economic, Social and Cultural Rights (ICESCR) (1966)**

After its adoption in 1966, the convention came into force in 1976. On May 20, 1976, the United Kingdom ratified the ICESCR. The International Covenant on Economic, Social and Cultural Rights



(ICESCR) obliges all States Parties (currently 160) to protect the economic, social and cultural rights of every person. Protected by the ICESCR is the right to a decent standard of living; the highest standards of physical and mental health; education; Social Security; fair work; and fair treatment in the workplace.

The Convention recognizes the right of everyone to determine their own destiny, including the determination of their political status; their economic, social, and cultural goals; and the management and use of their resources. The principle of "progressive realization", which is the basis of the Covenant as a whole, is set out in this convention as well. Combined with the International Covenant on Civil and Political Rights (ICCPR) and the Universal Declaration of Human Rights (UDHR), ICESCR forms the International Charter on Human Rights. To date, 23 General Comments have been made to explain the scope and content of the ICESCR provisions.

States participating in the Convention shall make a report to the Committee outlining their progress as well as the legislative, judicial, and policy measures that have been taken to meet the obligations set out in the Convention. The report should be submitted approximately two years after the adoption of the Convention, and then every five years thereafter, or as requested by the Committee.

## **2. Special Instruments**

### **a. International Labour Organization (ILO) (1919)**

The ILO was established in 1919 as part of the Treaty of Versailles that ended World War I, with the aim of reflecting the belief that lasting world peace can only be realized if it is based on social justice. In 1946, the ILO officially became a specialized body under the auspices of the United Nations. By carrying out its founding mission that workers' peace is essential to well-being, the International Labour Organization (ILO) is committed to supporting internationally recognized social justice, human rights, and labor rights. Today, the ILO contributes to the development of decent jobs as well as economic and working conditions that enable workers and businessmen to contribute to sustainable progress, well-being and peace.

**b. Educational, Scientific and Cultural Organization (UNESCO) (1945)**

The United Nations (UNESCO) was established on November 16, 1945 as an Educational, Scientific, and Cultural Organization. UNESCO is governed by the General Conference and the Executive Council, and has 195 members and 8 associations. Through education, science, culture, communication and information, UNESCO aims to promote a culture of peace, poverty eradication and sustainable development.

Based on respect for shared values, UNESCO seeks to create an environment for dialogue between civilizations, cultures and peoples. The essence of UNESCO's mission and activities is to achieve through this dialogue a global vision of sustainable development that includes human rights, mutual respect and poverty alleviation.

**c. International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) (1965)**

The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) is an international treaty adopted by the United Nations General Assembly (UN) on December 21, 1965 and entered into force on January 4, 1969. ICERD aims to eliminate all forms of racial discrimination and promote equal rights among all people regardless of race, color, ancestry, or national or ethnic origin.

**d. Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (1979)**

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the main international human rights treaty in the United Nations treaty structure, requires Member States to implement their legal obligations to respect, protect and fulfil human rights. The UN General Assembly adopted CEDAW on December 19, 1979, and entered into force as a treaty on December 3, 1981. Currently, CEDAW has been ratified or approved by 187 countries, or about 90 percent of the UN membership, making it the most widely supported human rights treaty. There are three main sections consisting of CEDAW articles. The first article describes the nature and scope of the State's obligations, and the second Article outlines the steps that the State must take to eliminate discrimination in each area. The last article regulates procedures and administration, such as how the CEDAW reporting process works.

**e. Convention on the Rights of the Child (CRC) (1989)**

The CRC is an instrument of international law that establishes special rights for children. The United Nations General Assembly unanimously adopted the Convention on the Rights of the Child (CRC) on November 20, 1989. The Convention provides significant protection for children from torture, neglect and exploitation. The CRC, established in 1990, is the most internationally accepted human rights treaty. This treaty has been ratified by 196 countries.

**f. International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW) (1990)**

The United Nations General Assembly adopted the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW) on 18 December 1990. It came into effect on July 1, 2003. Protecting the rights of migrant workers and their family members is the main objective of this convention, both in the regular (migrant workers with official documents) and irregular (undocumented migrant workers) contexts.

**g. Convention on the Rights of Persons with Disabilities (CRPD) (2006)**

The United Nations (UN) adopted the Convention on the Rights of Persons with Disabilities (CRPD) on December 12, 2006, which is an international human rights treaty. Then it started on May 3, 2008. This convention was created to support, protect and ensure that persons with disabilities have equal human rights and freedoms. The Convention also aims to respect their innate dignity. Those who suffer from long-term physical, mental, intellectual or sensory limitations that prevent them from participating effectively and fully in society on the basis of equality with others are called persons with disabilities.

## **The Challenges Faced by International Human Rights Institutions in Upholding Human Rights Principles in Different Countries**

International human rights institutions face major challenges in upholding human rights principles in various countries. This includes the political, legal, and social complexities that impact the implementation

and enforcement of human rights. The existence of inequality in law enforcement is one of the challenges faced. Misinterpretation of international legal standards on human rights leads to legal problems. The law enforcement process can become more difficult if there is ambiguity about the definition and scope of human rights. The international legal system also often lacks effective enforcement mechanisms, which makes it difficult to impose sanctions or legal action against human rights violations, especially if they do not recognize the jurisdiction of international courts.<sup>18</sup>

There are also political and geopolitical challenges. Countries that have significant political and economic power usually also have more control over the human rights protection agenda. Countries with different political ideologies often have different views on human rights. Conflicts of interest between countries often hamper joint efforts to protect human rights. In some situations, countries may choose to ignore human rights abuses committed by their political partners in order to maintain political stability and diplomatic relations. Efforts to address human rights abuses at the international level are often hampered by the interests of major countries.

In addition, experts and practitioners state that the sharing of resources for a thorough investigation and the protection of witnesses and members of the judicial staff is essential. Rebuilding the legal system and ensuring a fair trial in post-conflict situations requires a lot of resources. Lack of adequate resources, expertise, and training in law enforcement agencies and the justice system as well as lack of access to resources can also hamper human rights protection efforts by non-governmental organizations. Sufficient resources are required to manage the large number of cases and human rights challenges spread across different countries, which require thorough investigations and rapid responses. International human rights institutions can maintain their role by understanding those issues and making smart plans, working well together,

---

<sup>18</sup> Addison, C. Harris Lecture, and Hongju Koh. "How is international human rights law enforced?." *International Law of Human Rights*. Routledge, 2017, pp. 241-262; Knox, John H. "Horizontal human rights law." *American Journal of International Law* 102, no. 1 (2008): 1-47.

and improving their internal capabilities. Overcoming these challenges also requires the involvement of civil society, the media, and international support. It also ensures that human rights institutions can carry out their duties with respect and positively impact around the world.

To adapt to technological advances and globalization, human rights institutions also face challenges. Misuse of technologies such as cybersecurity and electronic surveillance can undermine human rights protections. Therefore, the legal apparatus and supervisory mechanisms must be continuously updated and adjusted. By addressing these issues, international human rights institutions can play a greater role in ensuring that human rights are respected and implemented around the world. Overcoming these barriers and advancing the protection of human rights around the world requires global cooperation, inter-agency collaborative efforts, and broad support from civil society.

Therefore, it requires joint efforts from various parties, including governments, international institutions, and civil society, to overcome the obstacles faced in the application of international law related to human rights. There are several solutions that can be implemented, namely, first, to overcome political obstacles and differences in interpretation in the application of international law related to human rights, it is important to increase and strengthen international cooperation. To reach agreement on human rights standards, countries must increase talks and cooperation, both through international and bilateral forums. Multilateral diplomacy can also help reduce conflict and improve compliance with human rights law. Furthermore, providing education and awareness to increase public awareness about human rights, the government and educational institutions must work together. Human rights should be part of the school curriculum to improve students' understanding from an early age. Information campaigns conducted by governments, civil society organizations, and the media can raise public awareness about basic rights and their implications. A better understanding will increase public pressure on governments to comply with human rights.

## **Indonesia's Role in Upholding Human Rights in International Law**

Through various initiatives and actions, Indonesia plays an important role in the enforcement of human rights in the international arena. Indonesia continues to demonstrate its commitment at the international level by actively participating in global forums that discuss human rights. Indonesia, as one of the founders of the United Nations (UN), has been instrumental in creating an international legal instrument on human rights. Indonesia's contribution is evident in the process of formulating and accepting the Universal Declaration of Human Rights (UDHR), the Convention on Civil and Political Human Rights (ICCPR), and the Convention on Economic, Social, and Cultural Human Rights (ICESCR). Indonesia's activeness in these measures reflects its commitment to establishing an international legal basis that recognizes and protects human rights. By being a member of the United Nations (UN), the UN General Assembly, and the UN Human Rights Council, Indonesia helps advance the human rights agenda around the world. Through this engagement, Indonesia not only defends human rights, but also contributes to the formation of global policies and standards in global efforts to protect and promote human rights. Therefore, Indonesia's contribution has a significant influence on human rights protection efforts around the world.

Of the nine main international human rights instruments that have been ratified by Indonesia, 8 of them are related to the Universal Declaration of Human Rights (UDHR) of 1948. As a member of the United Nations, Indonesia also has a moral responsibility to respect and implement the provisions stipulated in Law Number 39 of 1999 concerning Human Rights, namely:

- 1) Convention on the Elimination of All Forms of Discrimination Against Women (UU No. 7/1984);
- 2) the Convention on the Rights of the Child (Presidential Decree No. 36/1990), including the Optional Protocol on the Involvement of Children in Armed Conflict (Law No. 9/2012) and the Optional Protocol on Child Trafficking, Child Prostitution and Child Pornography (Law No. 10/2012);



- 3) Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment (Law No. 5/1998);
- 4) International Convention on the Elimination of All Forms of Racial Discrimination (UU No. 29/1999);
- 5) International Covenant on Economic, Social, and Cultural Rights (Law No. 11/2005)
- 6) International Covenant on Civil and Political Rights (Law No. 12/2005);
- 7) Convention on the Rights of Persons with Disabilities (Law No. 19/2011);
- 8) International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (UU No. 6/2012).

In addition, Indonesia has an independent National Human Rights Research Institute (NHRI) that adheres to the Paris Principles. The National Human Rights Commission of the Republic of Indonesia (Komnas HAM RI) was established in 1999 based on Human Rights Law No.39 of 1999 and is reviewed periodically by the Global Association of National Human Rights Institutions (GANHRI).

## **Indonesia's Role in Addressing the Rohingya Women's Human Rights Crisis in Myanmar**

Indonesia's commitment to an active and principled foreign policy demonstrates its concern for global human rights issues, particularly the plight of vulnerable ethnic minority groups subjected to state repression or ethnic domination. A poignant example is the Rohingya Muslim community in Myanmar, which has endured systematic genocide, forced displacement, and severe human rights abuses under the country's military regime. Among the Rohingya, women have faced disproportionate violence, including sexual violence and denial of essential services, underscoring the urgent need for targeted international protection.<sup>19</sup>

---

<sup>19</sup> Towadi, Mellisa. "The Application of Sharia Maqashid on the Protection of the Rights of Minority of Muslim Rohingya in Regional ASEAN (Indonesia-Malaysia)." *Journal of Indonesian Legal Studies* 2, no. 1 (2017): 43; Mali, Fransiskus

In response, the Indonesian government has taken concrete steps to assist Rohingya refugees and engage diplomatically to seek lasting solutions. During a May 24, 2015 meeting chaired by the Minister of Social Affairs, Khofifah Indar Parawansa, Indonesia outlined a two-pronged approach: (1) repatriation of 720 refugees from Bangladesh, supported by UNHCR and IOM funding, and (2) provision of social protection and basic needs for Rohingya refugees, who constitute the majority of displaced persons in Aceh. International law experts, such as Professor Hikmahanto Juwana, have proposed three durable solutions: local integration, repatriation, or resettlement to third countries. While Australia rejected refugee resettlement, The Gambia agreed to participate. In addition, Indonesia's National Disaster Management Agency (BNPB), private sector actors, and NGOs have provided significant logistical and humanitarian aid.

Indonesia's engagement extends beyond immediate refugee assistance. In Myanmar's Rakhine State, Indonesia funded and inaugurated two schools in 2017, spearheaded by Foreign Minister Retno Marsudi and supported by community donations through PKPU. Following recommendations by Kofi Annan, Indonesia launched the Humanitarian Assistance for Sustainable Community (HASCO) program, which promotes inclusive support for both Buddhist and Muslim communities in Rakhine through education, healthcare, and economic development, in partnership with local NGOs. Civil society actors, including initiatives by Ridwan Kamil and Aksi Cepat Tanggap (ACT), have also mobilized resources to aid Rohingya refugees, especially women and children vulnerable to human rights violations. Moreover, Indonesian legislators, notably Abdul Kharis Almasyari, have publicly condemned Myanmar's abuses and called for intensified diplomatic efforts to halt the persecution.

Indonesia's multi-faceted role illustrates the country's dedication to upholding international human rights standards and protecting vulnerable

---

X. Gian Tue. "Peluang Asean Community Menyelesaikan Masalah Rohingya." *Jurnal Asia Pacific Studies* 1, no. 1 (2017): 1-14.

populations, particularly women, in conflict-affected contexts. This engagement highlights the vital intersection between national diplomacy, humanitarian assistance, and international legal obligations to safeguard women's rights in crises such as the Rohingya tragedy.<sup>20</sup>

## Conclusion

The protection of women's human rights in conflict and crisis situations remains a critical challenge in international law. The Rohingya crisis in Myanmar starkly illustrates how ethnic and gender-based persecution results in severe violations, including genocide, displacement, and systematic abuses disproportionately affecting women. Despite the existence of comprehensive international legal frameworks aimed at safeguarding human rights, the implementation and enforcement of these protections often fall short in practice.

Indonesia's proactive role—through humanitarian assistance, diplomatic engagement, and community-driven initiatives—demonstrates the important contribution that individual states can make in addressing such complex crises. By supporting refugee protection, promoting inclusive development programs, and advocating for the rights of persecuted women, Indonesia exemplifies how national action can complement international legal obligations.

Ultimately, ensuring effective protection for women's human rights in conflict zones requires sustained commitment from the international community to strengthen legal mechanisms, enhance cooperation among states, and prioritize the gender-specific needs of vulnerable populations. Only through such concerted efforts can the ideals of international law be

---

<sup>20</sup> See Pratiwi, Cekli Setya. "Bridging the gap between cultural relativism and universality of human rights: Indonesia Attitudes." *Journal of Indonesian Legal Studies* 5 (2020): 449; Permatasari, Adinda Destaloka Putri. "The Government Social Services Policy on Central Europe-Indonesia for Refugee Protection: Are the Laws Sufficient for Refugee Protection in Both Countries?." *The Indonesian Journal of International Clinical Legal Education* 3, no. 1 (2021): 41-56; Wicaksono, Dava Irfani. "Illegal Immigrants Between Indonesia Australia: How the Law and Policy Solving the Problems?." *The Digest: Journal of Jurisprudence and Legisprudence* 2, no. 1 (2021): 91-116.

translated into meaningful protection and justice for women affected by violence and discrimination worldwide.

## References

- Addison, C. Harris Lecture, and Hongju Koh. "How is international human rights law enforced?." *International Law of Human Rights*. Routledge, 2017, pp. 241-262.
- Andiani, Tara Nadya, FX Hastowo Broto Laksito, and Jose Gama Santos. "Evidence from Indonesia on the legal policy confronting discrimination of minority groups based on race and ethnicity." *Wacana Hukum* 29, no. 2 (2023): 146-162.
- Arifin, Ridwan, Rodiyah Rodiyah, and Fadhilah Rizky Afriani Putri. "The Legal and Social Aspect for Underage Marriage Women's Education Rights in the Perspective of Human Rights: Contemporary Issues and Problems." *Sawwa: Jurnal Studi Gender* 15, no. 2 (2020): 219-240.
- Arifin, Ridwan. "Revealing the Other Side of Human Rights Issue: How We Look to the Existed Various Problems." *Journal of Indonesian Legal Studies* 2, no. 1 (2017): 79.
- Askin, Kelly Dawn, and Dorean Koenig. *Women and International Human Rights Law: Volume 3*. Martinus Nijhoff Publishers, 2023.
- Aulya, Layla Putri, Ridwan Arifin, and Robert Brian Smith. "The Urgency of the International Criminal Court's (ICC) Jurisdiction in Handling Serious Violations of Human Rights Case of the Uyghur." *The Digest: Journal of Jurisprudence and Legisprudence* 4, no. 1 (2023): 95-122.
- Bajaj, Monisha. "Human rights education: Ideology, location, and approaches." *Human Rights Quarterly* 33.2 (2011): 481-508.
- Carpenter, David. "Magna Carta 1215: its social and political context." *Magna Carta: history, context and influence*. London: School of Advanced Study, University of London (2018): 17-24.
- Choirunnisa, Sutiani. "Legal protection against women victims of sexual harassment through social media (cyberporn)." *The Indonesian*

- Journal of International Clinical Legal Education* 3, no. 3 (2021): 367-380.
- d'Amato, Anthony. "The concept of human rights in international law." *Columbia Law Review* 82, no. 6 (1982): 1110-1159.
- Haryanto, Tenang, et al. "Pengaturan tentang Hak Asasi Manusia Berdasarkan Undang-Undang Dasar 1945 Sebelum dan Setelah Amandemen." *Jurnal Dinamika Hukum* 8, no. 2 (2013): 136-144.
- Heintze, Hans-Joachim. "On the relationship between human rights law protection and international humanitarian law." *International Review of the Red Cross* 86, no. 856 (2004): 789-814.
- Hevener, Natalie Kaufman. *International law and the status of women*. Routledge, 2019.
- Hidayah, Syarifatul. "State Responsibility in Protecting Human Rights: An International Legal Perspective." *International Law Discourse in Southeast Asia* 2, no. 2 (2023): 279-304.
- Humphrey, John P. "International Protection of Human Rights." *The Annals of the American Academy of Political and Social Science* 255, no. 1 (1948): 15-21.
- Humphrey, John P. "The Universal Declaration of Human Rights: Its history, impact and juridical character." *Human rights: Thirty years after the Universal Declaration*. Brill Nijhoff, 1979, pp. 21-37.
- Indrayanti, Kadek Wiwik, Anak Agung Ayu Nanda Saraswati, and Eka Nugraha Putra. "Questioning human rights, looking for justice: Analyzing the impact of supreme court circular letter on interfaith marriages in Indonesia." *Journal of Indonesian Legal Studies* 9, no. 1 (2024): 385-416.
- Kälin, Walter, and Jörg Künzli. *The law of international human rights protection*. Oxford University Press, 2019.
- Klabbers, Jan. *International Law*. Cambridge University Press, 2020.
- Knox, John H. "Horizontal human rights law." *American Journal of International Law* 102, no. 1 (2008): 1-47.
- Larasati, Ayu Maulidina, and Novia Puspa Ayu. "The education for gender equality and human rights in Indonesia: Contemporary issues and controversial problems." *The Indonesian Journal of International Clinical Legal Education* 2, no. 1 (2020): 73-84.

- Mali, Fransiskus X. Gian Tue. "Peluang Asean Community Menyelesaikan Masalah Rohingya." *Jurnal Asia Pacific Studies* 1, no. 1 (2017): 1-14.
- Mangku, Dewa Gede Sudika, Ni Putu Rai Yulianti, and I. Wayan Lasmawan. "Legal Protection for People with Disabilities in Indonesia in the Perspective of Justice Theory." *Unnes Law Journal* 8, no. 2 (2022): 245-262.
- Miguel, Alfonso Ruiz. "Equality before the Law and Precedent." *Ratio Juris* 10, no. 4 (1997): 372-391.
- Mukhlis, Mukhlis, et al. "Rejection of Former Shia Community in Sampang Perspective on Human Rights Law: Discourse of Religious Rights and Freedom in Indonesia." *Lex Scientia Law Review* 7, no. 2 (2023): 959-994.
- Permatasari, Adinda Destaloka Putri. "The Government Social Services Policy on Central Europe-Indonesia for Refugee Protection: Are the Laws Sufficient for Refugee Protection in Both Countries?." *The Indonesian Journal of International Clinical Legal Education* 3, no. 1 (2021): 41-56.
- Philip, Christanugra. "Tanggung Jawab Negara Terhadap Perlindungan Hak Asasi Manusia Menurut Hukum Internasional." *Lex Administratum* 4, no. 2 (2016).
- Pratiwi, Cekli Setya. "Bridging the gap between cultural relativism and universality of human rights: Indonesia Attitudes." *Journal of Indonesian Legal Studies* 5 (2020): 449.
- Przetacznik, Franciszek. "Individual Human Rights in John Locke's Two Treatises of Government." *Netherlands International Law Review* 25, no. 2 (1978): 195-216.
- Putra, Septeryan Dwi Purnomo. "Protection against Indonesian Women Workers." *Lex Scientia Law Review* 3, no. 1 (2019): 79-86.
- Rasyid, Sulaiman, et al. "The Role of Indonesian Diplomacy in Managing the Conflict between The Myanmar Government and The Rohingya Muslim Ethnic." *Unnes Law Journal* 8, no. 1 (2022): 159-178.
- Şener, Mustafa Burak. "A review of the meaning and importance of the Universal Declaration of Human Rights." *Uluslararası Politik Araştırmalar Dergisi* 7, no. 3 (2021): 15-25.



- Setiawan, Andry, et al. "Gender Based Violence in Higher Education: A Model of Protection and Law Enforcement." *Indonesian Journal of Advocacy and Legal Services* 5, no. 1 (2023): 65-80.
- Setiawan, Sarno, et al. "Community empowerment on establishment of friendly-village for women and children." *Indonesian Journal of Advocacy and Legal Services* 1, no. 1 (2019): 5-22.
- Shaw, Malcolm N. *International Law*. Cambridge University Press, 2017.
- Simmons, Beth A. *Mobilizing for human rights: international law in domestic politics*. Cambridge University Press, 2009.
- Tastama, Ridho Dwiky. "The Position of Women in International Relationship: A Book Review Gender & Hubungan Internasional, Ani Seotjipto, Jalasutra Bandung, 2013, 320 pages, ISBN 978-602-825-293-5." *Journal of Indonesian Legal Studies* 4, no. 1 (2019): 161-166.
- Thontowi, Jawahir. "Perlakuan Pemerintah Myanmar terhadap Minoritas Muslim Rohingya Perspektif Sejarah dan Hukum Internasional." *Pandecta Research Law Journal* 8, no. 1 (2013).
- Tibbitts, Felisa, and William R. Fernekes. "Human rights education." *Teaching and studying social issues: Major programs and approaches* (2011): 87-117.
- Towadi, Mellisa. "The Application of Sharia Maqashid on the Protection of the Rights of Minority of Muslim Rohingya in Regional ASEAN (Indonesia-Malaysia)." *Journal of Indonesian Legal Studies* 2, no. 1 (2017): 43.
- Udavant, Esha. "Cedaw and the Human Rights of Women: An Overview." *European Journal of Humanities and Educational Advancements* (2022): 78-82.
- Utami, Mumpuni Tri. "The Implementation of Non-Refoulement Principle in Case of Rohingnya." *The Digest: Journal of Jurisprudence and Legisprudence* 1, no. 2 (2020): 197-222.
- Wicaksono, Dava Irfani. "Illegal Immigrants Between Indonesia Australia: How the Law and Policy Solving the Problems?." *The Digest: Journal of Jurisprudence and Legisprudence* 2, no. 1 (2021): 91-116.

\*\*\*

### **DECLARATION OF CONFLICTING INTERESTS**

The authors state that there is no conflict of interest in the publication of this article.

### **FUNDING INFORMATION**

None

### **ACKNOWLEDGMENT**

None

### **PUBLISHING ETHICAL AND ORIGINALITY STATEMENT**

All authors declared that this work is original and has never been published in any form and in any media, nor is it under consideration for publication in any journal, and all sources cited in this work refer to the basic standards of scientific citation.

### **GENERATIVE AI STATEMENT STATEMENTS**

N/A