

Women's Rights and Institutional Realization of Legal Protection: A Socio-Legal Synthesis of Accountability Gaps

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Abstract

This synthesis demonstrates that women's rights are frequently unrealized not because legal rights are absent, but because similar accountability gaps recur across diverse legal contexts. These accountability gaps represent implementation gaps that prevent institutions from effectively implementing and enforcing existing legal protections, ultimately resulting in institutional and judicial betrayal experienced by rights-holders. Although women's rights are widely recognized in domestic, European, and international legal frameworks, they often remain unrealized in practice. Accordingly, this cumulative socio-legal synthesis examines why women's legal rights frequently fail to produce effective protection by integrating findings from eleven peer-reviewed studies spanning domestic empirical case studies and international legal contexts. The research investigates accountability gaps affecting women's rights across equality before the law, employment, criminal adjudication, asylum, international human rights law, climate governance, and international criminal justice.

Using a cumulative socio-legal synthesis, the study integrates empirical findings and legal analysis to identify recurring implementation gaps across these diverse legal contexts. The analytical framework combines the concepts of implementation gaps, accountability gaps, institutional betrayal, and judicial betrayal to explain why legal protections often remain ineffective despite their formal recognition. While domestic and international legal systems rely on different institutional mechanisms, similar patterns of accountability gaps recur across areas of law.

The synthesis identifies accountability as the common mechanism underlying implementation gaps. In domestic legal systems, accountability gaps stem from deficiencies in adjudication, evidentiary practices, procedural fairness, institutional oversight, and governance. International implementation, by contrast, depends more heavily on state consent, political commitment, institutional capacity, and limited enforcement mechanisms. Despite these differences, similar accountability failures continue to hinder the realization of women's rights and may manifest as institutional or judicial betrayal.

Building on these findings, the synthesis proposes coordinated legal and institutional reforms at four complementary levels: preventing violations through international human rights law, strengthening protection through asylum systems, improving implementation within domestic legal institutions, and enhancing accountability through international criminal justice. Together, these reforms constitute an integrated accountability framework to strengthen the realization of women's rights across domestic and international legal systems.

The principal contribution of this synthesis is the development of an integrated socio-legal accountability framework demonstrating that implementation gaps recur because accountability mechanisms fail in similar ways across diverse legal contexts. Institutional and judicial betrayal are interpreted as manifestations of these recurring accountability failures rather than separate legal failures. The synthesis therefore concludes that strengthening women's rights depends less on creating additional legal rights than on ensuring institutions are accountable for implementing, enforcing, and protecting existing rights, thereby translating formal legal recognition into effective legal protection in practice. As we already have proper legal protections on paper, why not use them rather than create new protections?

Keywords: Accountability gaps, Effective legal protection, Equality before the law; Implementation gaps, Institutional accountability, Institutional betrayal, Institutional realization, Judicial betrayal, Socio-legal synthesis, Women's rights.

Introduction: Women's Rights and the Persistent Implementation Gap

Women and girls have long been the subject of social, political, and cultural debate — a process that continues today. Across societies and historical periods, questions persist regarding what women are permitted to do, what rights they should possess, and which social roles they are expected to fulfil. Various institutions and actors also influence women's lives, often shaping or constraining their choices, behavior, and social position. These power structures may manifest in different forms, including family expectations regarding traditional gender roles, religious doctrines that restrict women's access to contraception, or state systems that enforce culturally or religiously informed norms. Economic structures may also shape gender roles, for example, through expectations regarding women's participation in the labor market to sustain taxation systems and public welfare. At the interpersonal level, partners may hold strong expectations regarding the roles of wives or girlfriends. Employers may likewise reproduce gendered assumptions about suitable occupations, such as the persistent association of nursing with women. Yet, simultaneously, women are not merely passive subjects of social structures. They continuously exercise agency by resisting, negotiating, redefining, or asserting autonomy within and against these overlapping systems of power. Nevertheless, substantive gender equality has not yet been fully achieved.

When contemporary representations of women are examined, Finland is frequently cited as one of the most gender-equal countries in the world. Empirical indicators support this assessment, as Finland has ranked among the top countries in global happiness reports for several consecutive years (Fernandez, CNBC, March 19, 2025). Finland also consistently ranks among the highest-performing states in the Global Gender Gap Index, second only to Iceland, with a reported parity score of 87.9% (World Economic Forum). Accordingly, Finland's emphasis on universal education contributes to relatively low levels of income inequality and comparatively limited class stratification. For these reasons, Finnish case studies are used in this research as examples from a high-performing equality context, based on the assumption that they represent relatively strong protection mechanisms for women's rights. In contrast, this study also considers contexts in which legal protection for women is significantly weaker, including situations where protections under instruments, such as the Universal Declaration of Human Rights (UDHR, 1948) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, Mar. 8, 2023), are not effectively realized (UN Digital Library, 1948; UN, Mar. 8, 2023). However, without intending to single out any country, Somalia is among the states with the highest levels of gender inequality, ranking among the lowest globally on the United Nations Development Programme Gender Inequality Index, with a score of 0.776, where a score of one represents maximum inequality (UNDP, Somalia).

When examining historical and cultural representations of women, it is notable that portrayals originating in the nineteenth century continue to influence contemporary

perceptions. The Finnish folklorist and philologist Elias Lönnrot (1802–1884) collected oral traditions that contributed to the formation of the national epic, the Kalevala, in 1835 (Britannica). However, folklore scholar Sawin (1988) argues that female characters in the Kalevala are constructed through a male-centred perspective. This reflects a broader pattern in nationalist projects, where women are often positioned as symbolic contributors to collective identity while their own perspectives remain marginalized (Sawin, 1988). According to her, Lönnrot's narrative framework reinforces gendered hierarchies in which assertive or independent women are negatively portrayed, whereas compliant wives and mothers are rewarded (Sawin, 1988). Such representations contribute to the marginalization of women's roles in both historical and contemporary contexts. UN Women likewise estimates that, at the current pace, achieving full global gender equality may take up to 286 years (UN Women, Aug. 23, 2022). Against this backdrop, the persistence of gendered expectations and implementation gaps continues to hinder substantive equality for women.

Research Problem and Questions: The Implementation Gap in the Realization of National and International Women's Rights

The research problem of this synthesis concerns the unrealized nature of women's rights in practice. The divergence between the realization of rights is relevant, as formal rights exist but accountability for their implementation is limited. Therefore, the analytical lens for the synthesis is the implementation gap, which can also manifest as limited accessibility, enforcement and governance, procedural justice and limited protection due to utilitarian reasoning. The victims' experiences are interpreted in the frameworks of institutional and judicial betrayals. Supporting theoretical foundations are theories of socio-legal, feminist legal, rule-of-law, trauma-informed, access-to-justice, and human rights implementation literature, where appropriate. This analysis is based on eleven previously published peer-reviewed cumulative articles and engages with the perspective of the accountability gap. The main research question is:

Under what institutional circumstances do accountability gaps in the implementation of women's rights protection manifest as institutional or judicial betrayal?

The literature suggests that such failures may occur across different institutional contexts. For example, Pinciotti and Orcutt (Sept. 28, 2018) describe institutional betrayal in situations where victims of sexual violence encounter hostile institutional responses, which may discourage reporting and contribute to long-term psychological and physical consequences (Pinciotti & Orcutt, Sept. 28, 2018). Similarly, institutional betrayal has been discussed in relation to systemic failures to protect vulnerable individuals within legal and administrative systems. Judicial betrayal, as used in this thesis, is discussed by Gutowski and Goodman (2023) in situations where judicial processes, such as those in court, fail to provide effective protection or remedies. This kind of implementation gap includes contexts in which procedural

outcomes do not adequately address power imbalances in cases of intimate partner violence (IPV) (Gutowski & Goodman, 2023). In such contexts, legal proceedings may fail to prevent the continuation of coercive dynamics during litigation. These observations indicate the need to analyze patterns in institutional performance and legal implementation to understand the recurring implementation gaps in protection and accountability. Therefore, the following sub-questions guide the analysis:

1. *How do domestic and international legal frameworks differ in their capacity to promote equality and access to justice for women?*
2. *Based on the patterns identified across the included studies, what legal or institutional improvements may enhance the effective realization of women's rights?*

Methodology: Cumulative Article-Based Synthesis of Women's Rights

This synthesis adopts an interdisciplinary mixed-method socio-legal approach drawing on feminist legal theory, socio-legal studies, and trauma-informed scholarship. The implementation gap constitutes the central analytical focus through which institutional responses to harm, victimization, and the realization of women's rights are examined. Within this framework, accountability gaps are understood as manifestations of the implementation gap and may appear as limited accessibility, enforcement and governance, procedural justice, and protection. Institutional and judicial betrayal serve as the principal interpretive frameworks for analyzing why formally recognized rights fail to translate into their practical realization. Methodologically, the study employs a cumulative article-based synthesis comprising eleven peer-reviewed articles. Rather than analyzing the articles in isolation, the synthesis integrates their findings to identify recurring implementation and accountability gaps across domestic advocacy, divorce, criminal adjudication, employment disputes, asylum procedures based on the Refugee Convention (later also asylum), and international women's rights protection in international human rights law, international criminal justice, and climate governance. Although these legal contexts differ institutionally and jurisdictionally, the synthesis demonstrates that similar patterns of implementation gaps recur through weaknesses in enforcement, procedural justice, accessibility, and institutional accountability, ultimately limiting the realization of substantive equality and access to justice.

The first part of the literature review synthesizes domestic case studies providing original empirical evidence of accountability gaps. These case studies examine the implementation of women's rights within national legal institutions. The second part synthesizes international legal analyses examining accountability gaps in international protection, international human rights law, international criminal justice, and climate governance. Whereas the domestic case studies generate original empirical evidence, the international studies primarily interpret existing legal, institutional, and policy

frameworks through doctrinal legal analysis and socio-legal inquiry. Together, these complementary approaches provide a comprehensive understanding of accountability gaps across domestic and international women's rights protection.

The synthesis integrates doctrinal legal analysis, socio-legal inquiry, empirical evidence, and normative legal reasoning to construct a coherent research trajectory on women's rights, equality before the law, access to justice, victim protection, and the gendered operation of legal systems. Consistent with Hutchinson (2015), doctrinal legal analysis may be strengthened through interdisciplinary methods that inform legal interpretation and reform. Rather than treating these fields separately, the synthesis demonstrates how recurring accountability gaps transcend individual legal domains and institutional settings.

Consistent with both its socio-legal methodology and drawing on the author's twenty years of legal experience, the synthesis also reflects her interdisciplinary background in law, the business world, organizational management, and linguistics, yet employs a judicial reasoning style. While legal practice informs the precise use of legal concepts and interpretation, linguistic training informs the organization of information, findings-oriented rhetorical structure, and emphasis on reader comprehension. The rhetorical structure follows that used throughout the eleven cumulative articles: titles communicate the principal finding of each section, while the accompanying analysis provides the evidence, legal reasoning, and discussion supporting that conclusion. This approach seeks to maximize clarity, transparency, and reader comprehension by communicating the principal findings before presenting the supporting analysis.

Overview: Included Cumulative Articles and Their Methodological Integration

The articles employ a mixed-method socio-legal research design, combining doctrinal legal analysis with empirical and structural analyses of accountability gaps affecting the protection of women's rights. The articles on divorce and criminal proceedings, legal representation, layoffs involving lethal mold, and asylum practices in Finland constitute the synthesis's principal original contributions and provide the primary basis for the synthesis. The remaining articles offer theoretical, comparative, and contextual perspectives from international human rights law, international criminal law, and climate governance. Accordingly, the articles are discussed according to their methodological contribution to the synthesis rather than treated identically. Greater emphasis is therefore given to the empirical case studies providing original evidence of accountability gaps, whereas the doctrinal analyses provide theoretical, comparative, and contextual support for the cumulative argument. Table 1 presents the cumulative articles on women's rights (Brink, R.R., 2025–2026) and their integrated methodological framework.

Analytical domain and articles (Brink, R.R)	Legal field and substantive focus	Inter-disciplinary method	Contribution to the analytical framework: types of accountability gaps
Domestic equality before the law Divorce, criminal proceedings and legal advocacy • May 21, 2026 • Apr. 22, 2026 • Nov. 26, 2025	• Divorce and criminal proceedings • Legal advocacy: attorneys and judges	Empirical socio-legal case study of legal implementation	• Provides original empirical evidence of accountability gaps in domestic legal practice by the unrealized implementation of equality • Demonstrates how institutional and judicial decision-making may undermine equality before the law • Supports the institutional and judicial betrayal framework
Domestic equality before the law Employment, Layoffs and Lethal Mold • Dec. 11, 2025	• Employment law • Occupational Health and Safety • Wrongful termination • Environmental health exposure	Empirical socio-legal case study with doctrinal legal analysis	• Provides original empirical evidence of enforcement and accountability gaps in labor and occupational safety law • Demonstrates institutional failures in enforcing legal safeguards and how weak accountability may allow implementation gaps to persist • Supports the institutional and judicial betrayal framework
Equality before the law Asylum in domestic context • Jan. 19, 2026	• Refugee Convention • Asylum procedures under the Refugee Convention; • Administrative decision-making	Socio-legal case study of asylum-law implementation combined with doctrinal analysis	• Provides original evidence of accessibility gaps in asylum implementation • Demonstrates how administrative decision-making may produce unequal protection despite equal legal standards. • Supports the institutional betrayal framework
Equality before the law Human rights • Oct. 31, 2025 • Sept. 29, 2025	• Int. human rights law under state compliance and sovereignty constraints • Women's rights under UDHR and CEDAW	Doctrinal legal analysis with socio-legal and implementation-focused elements	• Provides evidence on governance and enforcement gaps within int. human rights law • Demonstrates how state sovereignty and limited enforcement constrain implementation. • Supports the institutional accountability framework.
International criminal law and procedural protection for SGBV witnesses The ICC, ICTY, ICTR • July 28, 2025 • July 2, 2025	• International criminal law • Procedural justice • Witness protection • SGBV in mass-atrocity trials	Doctrinal analysis with socio-legal elements (procedural implementation and lived experience focus)	• Provides evidence on procedural justice gaps affecting victims of SGBV violence. • Demonstrates that formally adequate provisions may produce secondary victimization. • Supports the judicial betrayal framework
Structural barriers and gendered impacts International Climate Change Law: • May 26, 2025 • Apr. 2025	• International climate change law • Climate governance • Gendered vulnerability • Participation and resource allocation	Doctrinal legal analysis with socio-legal and structural justice elements	• Provides evidence on governance gaps affecting women's participation and protection. • Demonstrates structural barriers to implementing gender-responsive climate governance. • Supports the extension of the institutional accountability framework to climate governance.

Table 1: Cumulative articles on women's realized rights (Brink, R.R., 2025-2026) with an integrated methodological framework

Literature Review: Institutional Accountability Gaps in Women's Rights Protection

This chapter reviews the findings of eleven previously published peer-reviewed articles examining women's rights across domestic and international legal contexts (Brink, R.R., 2025–2026). Collectively, these studies examine national adjudication and judicial processes concerning legal advocacy, family law and divorce, criminal proceedings, layoffs involving lethal mold, and asylum implementation. International human rights law, international criminal law, and climate governance are examined in the international context. As the implementation gap manifests as an accountability gap, this chapter will use both terms to describe the divergence between substantive and objective law.

Across these diverse fields, a recurring theme is accountability gaps within institutions that hinder the realization of women's rights in practice. The reviewed studies therefore examine both national and international legal contexts to determine whether legal protections and judicial mechanisms function effectively or remain largely formal guarantees. While the legal contexts differ, the articles consistently identify accountability gaps manifested through implementation, enforcement, procedural justice, and accessibility gaps. These, in turn, limit protection, access to remedies, and substantive equality.

The Finnish case studies provide original socio-legal evidence of accountability gaps, illustrating situations in which legal and judicial processes failed to translate formal protections into substantive outcomes. Contributing institutional factors include weak oversight and professional misconduct, highlighting the need for effective accountability mechanisms in practice rather than merely on paper. The literature review begins with the fundamental right to equality before the law and asylum procedures in the domestic context. International studies similarly identify limitations in the practical operation of human rights norms, victim-protection mechanisms, and climate governance frameworks. Taken together, the articles provide an evidence base for examining recurring patterns of accountability gaps affecting women's rights across multiple legal domains. The review begins with domestic empirical case studies providing original evidence of accountability gaps, followed by international analyses examining accountability through international protection, treaty implementation, climate governance, and international criminal justice.

Legal Advocacy: Domestic Case Study of Failures of Procedural Justice and Equality Before the Law

The findings suggest that utilitarian reasoning in certain adjudicative contexts may contribute to accountability gaps by prioritizing competing institutional interests over the effective protection of individual rights. Evidence concerning legal professionals, including judges and attorneys-at-law (Brink, R.R., Nov. 26, 2025), identifies recurring manifestations of judicial and institutional betrayal rather than isolated incidents. In these situations, utilitarian objectives or non-caring institutional practices may override ethical duties and legal obligations, particularly where the same institutional actors

repeatedly exercise decision-making power. The findings further show that legal proceedings can cause significant psychological harm to vulnerable individuals seeking justice, raising concerns about equality before the law and the consistent application of legal protections.

The literature further indicates that structural power imbalances, particularly affecting women, may reinforce these accountability gaps, especially where a private individual faces a large employer or another institution with substantially greater resources. Ethical shortcomings and weak oversight may leave individuals feeling humiliated, disempowered, and psychologically harmed. In this context, accountability gaps arise not only from weak enforcement or limited oversight but also from decision-making that places greater weight on institutional objectives than on the realization of women's rights. Collectively, the findings support stronger accountability, independent oversight, and interdisciplinary expertise to improve fairness and confidence in legal proceedings.

The findings also identify accountability gaps in the oversight of the legal profession. Although professional associations such as the Bar of Attorneys-at-Law play an important regulatory role, it is essential to highlight that they do not exercise governmental legislative authority. The literature suggests that professional culture, institutional structures, and limited external oversight may contribute to unequal influence within legal processes. These findings support stronger independent oversight, consistent enforcement of Directive 98/5/EC (February 16, 1998), and greater use of interdisciplinary expertise, including psychology, to improve adjudicative practice.

Divorce Proceedings: Domestic Case Studies of Failures of Procedural Justice and Equality Before the Law

Across the reviewed domestic law studies, a recurring theme is the divergence between formal legal protections and their practical realization. Although Finnish law contains extensive safeguards relating to equality before the law, marital consent, procedural fairness, and protection against exploitation, the analyzed case studies (Brink, R.R., May 21, 2026; Apr. 22, 2026; Nov. 26, 2025) suggest that these protections were not effectively realized in practice. In each case, the plaintiff perceived that the outcome had largely been determined before the proceedings had properly begun, and this perception was reinforced during the legal process.

The reviewed studies identify several forms of accountability gaps. In some cases, legal protections existed formally but had limited practical effect for vulnerable litigants. Collectively, the studies raise questions concerning the implementation gaps of marital protections, vulnerability, access to justice, and the distinction between formal and substantive equality. The findings from the divorce case studies suggest that vulnerable women were often left to navigate legal proceedings with insufficient institutional support. As a result, legal outcomes did not always reflect the protective objectives of domestic, European, and international legal norms. The studies also

documented repeated false statements and misleading claims during the proceedings, which the vulnerable litigants lacked the procedural capacity to challenge effectively.

The analyzed cases also demonstrate power asymmetries in the realization of legal rights. In divorce disputes, vulnerable women faced opponents with substantially greater social, financial, or institutional resources. The findings suggest that their testimony received limited evidentiary weight despite procedural safeguards intended to ensure equality before the law. These observations raise broader concerns about whether formal legal protections consistently translate into substantive equality and effective access to justice. The reviewed studies additionally highlight the legal significance of consent, procedural safeguards, and vulnerability in conducting contracts under the Contracts Act (1999) and the Marriage Act (2001). Finnish Supreme Court jurisprudence recognizes important safeguards against unfair agreements and exploitation. KKO 2021:28 confirms the statutory formalities governing marital agreements, while KKO 2019:76 and KKO 2009:45 emphasize the importance of good faith and fairness in the formation of legal agreements and contract negotiations. KKO 2003:48 further recognizes that a legal act may be invalid where a vulnerable spouse has been exploited, and the capacity for independent decision-making has been impaired (KKO 2021:28; KKO 2019:76; KKO 2009:45; KKO 2003: 48). The analyzed case studies therefore raise questions about the extent to which these protective principles were reflected in practice.

Criminal Adjudication: Domestic Case Study of Failures of Procedural Justice and Equality Before the Law

The criminal case study (Brink, R.R., Apr. 26, 2025) examines accountability gaps affecting a woman who initiated criminal proceedings after surviving severe intimate partner violence, including strangulation. Although she documented her injuries, sought medical evidence, obtained a restraining order, and actively participated in the proceedings, she received limited guidance from the police. She was largely left to navigate the criminal justice process independently. The case identifies accountability gaps manifested through institutional and judicial betrayal. Procedural shortcomings included inadequate victim support, communication failures, disregard for the victim's procedural requests, limited opportunity to present relevant evidence, and deficiencies in legal representation. Collectively, these shortcomings undermined the practical realization of procedural justice and access to justice, despite the formal availability of legal safeguards.

The case further illustrates how power asymmetries between legal professionals and a vulnerable victim may affect the realization of rights within criminal proceedings. The findings suggest that accountability gaps arise not only from failures to implement legal protections but also from institutional practices that reduce victims' meaningful participation in judicial processes. The case demonstrates how institutional betrayal, judicial betrayal, procedural justice, and accountability gaps interact despite formally available legal safeguards.

Employment Equality: Domestic Case Study of Failures of Enforcement of Workplace Safety, Procedural Justice and Equality before the Law

The national employment case study demonstrates that workplace health and employment protections may remain ineffective when institutional actors fail to implement and enforce existing legal safeguards. In the health and safety situation regarding mold and dismissal (Brink, R.R, Dec. 11, 2025), the national evidence-based case study highlights several accountability gaps. One is that even when the health and safety officers knew the workplace was moldy, they concealed this from the victim. The case was similar to the occupational health services case, as their results showed the same mold in both the victim and the employer; they did not pursue the evidence further. Even when comprehensive workplace health and employment protections exist, they do not ensure their effective implementation in practice due to flawed or ineffective monitoring by officials. Despite constitutional and international commitments to employment and health and safety at work, institutional responses fell short, indicating that legal protections may fail without rigorous enforcement. Professor Valtonen (May 4, 2017) similarly notes that individuals suffering from mold-related illness are often marginalized, with many ending up on disability pensions for depression despite the underlying cause being environmental mold exposure (Valtonen, May 4, 2017).

The case examined further reveals how deficiencies in administrative decision-making, inconsistent enforcement, and structural barriers may undermine the realization of legal rights, particularly for vulnerable employees facing prominent counterparties. The findings further suggest that evidentiary support alone may be insufficient to secure legal protection where institutional practices fail to give full effect to existing legal safeguards and equality before the law. More broadly, the study demonstrates accountability gaps in the distinction between formal legal protections and realized rights, identifying implementation gaps that warrant closer examination of Finnish occupational health and employment law.

Asylum Protection: Domestic Case Study of Failures of Equal Access to International Protection

The reviewed case study on asylum implementation identifies a persistent gap between formal legal guarantees and substantive asylum protection, suggesting recurring accountability gaps across different legal and governance systems. International protection exists in law, but its territorial design prevents equal realization of protection for women. The evidence (Brink, R.R., Jan. 19, 2026) raises questions concerning the extent to which formally neutral legal provisions may generate unequal outcomes in practice, despite the legal promise of equal treatment. Although asylum law (formally the Refugee Convention, 1951) is generally applied without explicit distinction based on gender, its territorial structure limits protection primarily to individuals able to reach the territory of a receiving state. As a result, women facing poverty, mobility restrictions, conflict-related barriers, or other structural disadvantages may encounter significant obstacles in accessing

international protection. The findings, therefore, suggest that formally equal legal provisions do not necessarily result in substantively equal access to protection.

The literature further raises questions concerning the allocation of resources within international protection systems. While asylum and resettlement mechanisms provide important safeguards for many individuals, their territorial and capacity-based limitations restrict access for others. Some scholars have therefore argued that increased investment in local protection initiatives, development assistance, and support for women in regions of origin could potentially benefit a larger number of at-risk women (Rush, Jan. 26, 2017; Kanninen, Aug. 25, 2025; Apr. 7, 2026). This debate highlights broader questions of distributive justice and the effectiveness of existing protection frameworks.

International Human Rights Treaties: Failures of Enforcement and Compliance

The reviewed studies on international human rights law and declarations (Brink, R. R., Oct. 31, 2025; Sept. 29, 2025) examine the extent to which formally recognized guarantees of women's equality are effectively implemented in practice. While instruments such as the Universal Declaration of Human Rights (UDHR, 1948) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, Mar. 8, 2023) establish important normative commitments to women's equality, the studies identify recurring accountability gaps arising from state sovereignty, uneven enforcement, and the limited capacity of international institutions to ensure compliance. The reviewed literature suggests that accountability gaps persist in the practical effectiveness of international human rights protections, as it often depends on political will, institutional capacity, and state cooperation. Enforcement mechanisms may be particularly limited where states have not ratified relevant treaties, compliance monitoring is weak, or harmful practices are carried out by non-state actors operating beyond the reach of conventional accountability frameworks.

Scholars such as Hilary Charlesworth and Christine Chinkin (2000), Khorram-Manesh and Burkle (Oct. 14, 2022), and Jan Klabbers (2021) further argue that international legal institutions have historically developed within structures that do not always reflect women's experiences or priorities. As a result, formal commitments to equality do not necessarily guarantee equal participation, representation, or protection in practice (Charlesworth & Chinkin, 2020; Khorram-Manesh & Burkle, Oct. 14, 2022; Klabbers, 2021). Taken together, the reviewed studies highlight the persistent gap between the normative promise of international human rights law and its effective realization for women across political and cultural contexts.

Climate Governance: Failures in Women's Participation and Access to Funding

Similar implementation gaps, as in other legal frameworks, emerge within climate governance. The reviewed studies (Brink, R.R., Apr. 2025; May 26, 2025) indicate that

women are disproportionately affected by climate-related harms, including displacement, poverty, food insecurity, and heightened risks of climate-related sexual and gender-based violence. Although international climate frameworks increasingly incorporate commitments to gender-responsive policies, the literature suggests that these commitments do not always translate into effective protection or equitable resource distribution. Scholars, such as Selibas, Atmadja et al., and the United Nations Framework Convention on Climate Change (UNFCCC) suggest that funding inequalities, restrictions on land ownership, limited participation in decision-making, and unequal access to adaptation resources indicate that women continue to face structural disadvantages despite the gender equality objectives. Accordingly, gender is not consistently operationalized within climate finance allocation frameworks (Selibas, Apr. 20, 2022; Atmadja et al., 2020; UNFCCC, 2022). Consequently, these implementation gaps raise questions about whether existing climate governance arrangements adequately address the needs and priorities of women most affected by climate-related harms. Taken together, the reviewed studies highlight that formal recognition alone is insufficient to ensure substantive gender equality where structural barriers limit access to rights, resources, and protective mechanisms.

International Criminal Justice: Failures in Prosecuting Conflict-Related Sexual and Gender-Based Violence

The reviewed studies on international criminal justice identify recurring accountability gaps despite formally available procedural safeguards (Brink, R.R., July 28, 2025; July 2, 2025). Even where procedural safeguards exist, accountability may fail because victims receive no conviction or effective redress. While international criminal law has increasingly recognized victim participation and protection, evidentiary requirements, acquittals, delays, limitations in reparations, and enforcement challenges may result in victims of conflict-related sexual and gender-based violence (SGBV) experiencing secondary victimization or insufficient recognition of their harm. However, conflict-related sexual and gender-based violence (SGBV) remains one of the most persistent challenges affecting women and girls across both conflict and non-conflict settings. International legal frameworks increasingly recognize conflict-related sexual violence as a serious violation of human rights and, in certain contexts, as a war crime, crime against humanity, or act of genocide.

The Bemba proceedings (June 15, 2018; Mar. 2019) of the International Criminal Court illustrate these challenges. Although 5,229 victims of conflict-related sexual and gender-based violence participated in the proceedings, the acquittal on appeal and delays in reparations raised concerns regarding victims' access to recognition and redress. As documented by the International Federation for Human Rights (FIDH, Nov. 2017), victims continued to experience the consequences of sexual violence while awaiting reparations (FIDH, Nov. 2017). At the same time, international criminal proceedings must uphold fundamental principles, including the presumption of innocence, the right to a fair trial, and in dubio pro reo. The reviewed studies therefore suggest that implementation gaps may arise not only from inadequate procedural safeguards but

also from tensions between procedural fairness and victims’ access to meaningful recognition, participation, and redress.

Overall Synthesis: Accountability Gaps Hinder the Realization of Women’s Rights

The literature review is not simply documenting inequalities affecting women but identifying implementation gaps as a recurring phenomenon across multiple legal domains. Across the reviewed domestic and international literature, a consistent pattern emerges: accountability gaps, where formally recognized legal rights do not translate into substantive equality or access to justice. Although the legal contexts differ, the reviewed studies identify recurring accountability gaps arising from institutional shortcomings, procedural barriers, uneven enforcement, and structural inequalities that limit the

practical realization of women’s rights and legal protections. These findings suggest that the effectiveness of legal protections depends not only on the content of legal rules but also on how they are interpreted, implemented, and enforced. Accordingly, the Finnish case studies suggest that vulnerable litigants may be unable to effectively challenge inaccurate or misleading claims made during legal proceedings, particularly where significant power asymmetries exist. The findings additionally suggest that vulnerable women were often left to navigate legal proceedings with insufficient institutional support. Collectively, the *Literature Review* demonstrates recurring accountability gaps in the realization of women’s rights and provides a coherent evidence base for the analytical framework developed in the *Theoretical and Analytical Framework* chapter (pp. 9-10).

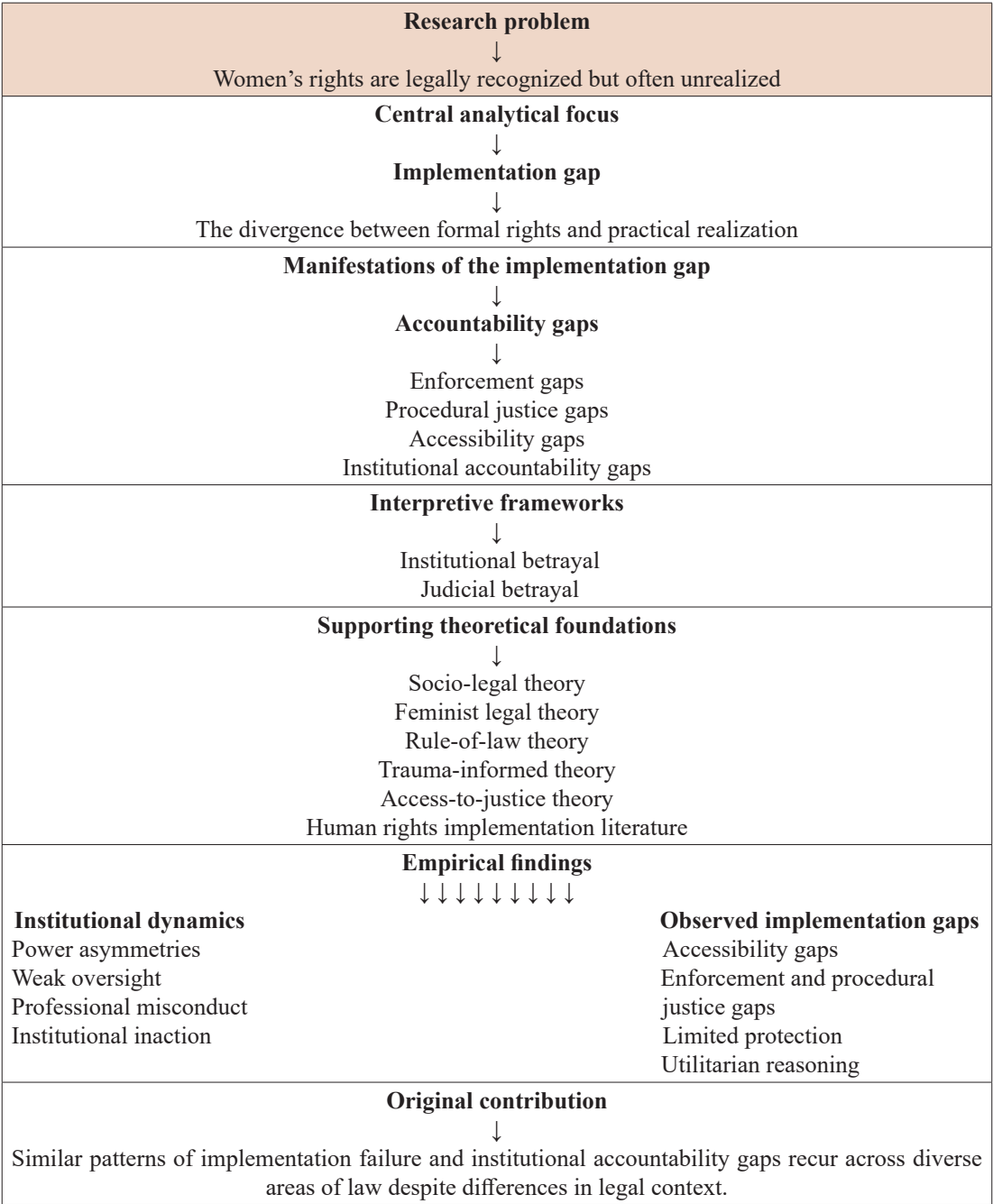


Figure 1 summarizes the analytical framework developed in this chapter and illustrates the relationships among the key concepts that guide the analysis

Theoretical and Analytical Framework: Understanding the Implementation Gap in Women's Rights

This chapter develops the analytical framework based on the research findings, which indicate that psychological aspects of adjudication are insufficiently considered and that a more interdisciplinary approach is needed to ensure just adjudication. Therefore, it is valuable that some of the cumulative articles are published in psychology-related journals. The recurring implementation gap identified in the preceding literature review requires a conceptual framework to explain why formally recognized legal rights do not always translate into substantive equality and effective access to justice. Figure 1 (p. 8) summarizes the analytical framework developed in this chapter and illustrates the relationships among the key concepts that guide the analysis.

This chapter develops the theoretical framework for analyzing institutional, judicial, and implementation gaps across the national case studies and international legal contexts examined in this synthesis. Accordingly, this synthesis adopts an interdisciplinary socio-legal framework drawing on feminist legal theory, rule-of-law theory, trauma-informed theory and access-to-justice theory, as well as human rights implementation literature. It employs the concepts of institutional betrayal and judicial betrayal as principal interpretive frameworks for examining gaps between formally guaranteed rights and their practical realization. These betrayal concepts manifest when institutions and adjudicative systems fail victims who depend on them for protection, justice, and remedies.

The central analytical focus is the implementation gap, understood as the divergence between formal legal rights and their realization in practice. Institutional and judicial betrayal are examined as manifestations of this gap where systems expected to safeguard rights fail to provide effective protection, equal treatment, or meaningful remedies. The framework draws upon scholarship on institutional betrayal, legal institutions, procedural justice, and accountability. Studies provide the foundation for understanding how institutional responses to harm may contribute to experiences of injustice, exclusion, and secondary victimization (Smith & Freyd, Sept. 2014; Smith et al., 2014, Gómez et al., July 18, 2016; Christl et al., Oct. 2024). Building on this literature, the synthesis applies the concepts of institutional and judicial betrayal to interpret recurring implementation gaps affecting women's rights across diverse legal contexts.

Analytical Approach and Research Perspective: The Centrality of the Implementation Gap

The central analytical focus of this synthesis is the implementation gap, understood as the divergence between formally recognized legal rights and their practical realization. Accordingly, accountability gaps are conceptualized as manifestations of the implementation gap and may appear as enforcement gaps, procedural justice gaps, accessibility gaps, and institutional accountability gaps. To examine how these implementation gaps affect individuals seeking legal

protection and remedies, the synthesis employs institutional betrayal and judicial betrayal as interpretive frameworks. These interpretive frameworks are supported by the theoretical foundations discussed in the section titled *Supporting Theoretical Foundations* (p. 10).

Institutional Betrayal: Interpreting Police Inaction in Sexual Violence

Institutional betrayal refers to failures by trusted institutions — such as police authorities, government bodies, or other public agencies — to fulfil their expected duties of care, protection, or procedural responsiveness toward individuals who depend on them (Pinciotti & Orcutt, Sept. 28, 2018). The concept originates in trauma and institutional research, where it describes the harm produced when institutions fail those who rely on them (Smith & Freyd, Sept., 2014). In this synthesis, institutional betrayal serves as an interpretive framework for examining delays, omissions, and systemic deficiencies in the implementation of legal protections, particularly in cases involving vulnerable individuals.

Reporting by the Finnish public service broadcaster YLE illustrates these concerns in the context of sexual offence investigations. YLE has reported cases in which police investigations involving alleged sexual offences against minors experienced significant delays, raising questions about procedural responsiveness and institutional capacity (YLE, July 20, 2020). These accounts suggest recurring implementation gaps rather than isolated procedural errors. In another reported case, a suspected rape investigation was not formally processed until more than three years after the initial complaint had been filed (Mäntysalo at YLE, Nov. 24, 2022). Within the analytical framework adopted in this synthesis, such delays are interpreted as indicators of implementation gaps and institutional betrayal because they may compromise evidentiary integrity, procedural trust, and the timely delivery of justice.

Judicial Betrayal: Interpreting an Alleged Gang Rape Without Convictions

Judicial betrayal is understood in this synthesis as a specific manifestation of institutional betrayal occurring within judicial processes. A recent case reported by YLE journalists Hirvonen and Blom illustrates how judicial decision-making may give rise to allegations of judicial betrayal despite the formal application of legal procedures. In 2024, an underage girl alleged that she had been gang raped by three foreign men after being brought to the hospital with a blood alcohol concentration of 2.05‰ (Hirvonen at YLE, May 3, 2025; Blom at YLE, June 18, 2026). According to the prosecution, the men took her from the hospital waiting area to nearby bushes, where they sexually assaulted her and recorded the incident. Although the prosecution argued that her level of intoxication rendered her incapable of giving valid consent, both the District Court and the Court of Appeal acquitted the defendants (Hirvonen at YLE, May 3, 2025; Blom at YLE, June 18, 2026). As societies become increasingly diverse, criminal justice institutions are likely to encounter a wider range of cultural and social

contexts in cases involving sexual violence. This development reinforces the importance of interdisciplinary and culturally informed expertise while ensuring the consistent application of legal standards concerning consent, equality, and victim protection.

Within the analytical framework adopted in this synthesis, the case illustrates how trusted criminal justice institutions may fail to provide meaningful protection and accountability. From the perspective of judicial betrayal, the case further illustrates how adjudicative processes may fail to realize the protective purposes of the law even when serious allegations have been presented before the courts. In this sense, judicial betrayal may be understood as a specific manifestation of institutional betrayal occurring within courts and legal decision-making processes, where the administration of justice falls short of the expectations created by legal rights and judicial findings.

Supporting Theoretical Foundations

The analytical framework is informed by rule-of-law theory, particularly the distinction between formal and substantive equality. Formal equality refers to equal treatment under the law, whereas substantive equality concerns whether legal structures produce equitable outcomes in practice. The analytical framework also draws on human rights implementation literature, which highlights the gap between legally recognized rights and their implementation and enforcement. In addition, feminist legal theory is used to examine how structural patterns within legal systems shape differential experiences of justice, particularly for women and other vulnerable groups.

Socio-legal theory complements these perspectives by examining how legal norms operate within institutional and social contexts. It provides a basis for understanding how organizational practices, professional cultures, and institutional structures influence the practical realization of legal rights. Access-to-justice theory further emphasizes that the effectiveness of legal rights depends not only on their formal recognition but also on individuals' ability to obtain fair, timely, and meaningful remedies through legal institutions. Together, these theoretical foundations provide the conceptual basis for the interpretive frameworks of institutional betrayal and judicial betrayal used throughout this synthesis.

Integrating Implementation Gaps, Accountability Gaps, and Institutional Betrayal

This synthesis conceptualizes the implementation gap as the central analytical focus for examining why formally recognized legal rights do not always translate into their practical realization. Accountability gaps are understood as manifestations of the implementation gap and may appear as enforcement gaps, procedural justice gaps, accessibility gaps, and other institutional shortcomings. Institutional betrayal and judicial betrayal serve as the interpretive frameworks through which these accountability gaps are analyzed. Institutional betrayal refers to failures by trusted institutions to fulfil their protective functions, whereas judicial betrayal represents a specific manifestation occurring within judicial and adjudicative processes. Together, these concepts provide a framework for

analyzing situations in which institutions fail to realize their protective, remedial, or adjudicative responsibilities.

The analysis further considers whether utilitarian reasoning in adjudication, whereby institutional efficiency or competing interests are prioritized over individual rights, contributes to the emergence or persistence of accountability gaps. However, the framework does not suggest that utilitarian reasoning is universal. Rather, it is one factor that appears to contribute to accountability gaps in several of the cases analyzed.

While legal equality is formally established through constitutional, statutory, and international human rights frameworks, its realization depends on institutional practices, procedural rules, and discretionary decision-making in enforcement and adjudication systems. These factors contribute to accountability gaps that hinder the realization of formally recognized rights in practice. The analytical model therefore examines how implementation gaps and their manifestations emerge and persist across diverse legal contexts through an interdisciplinary synthesis of the supporting theoretical foundations, socio-legal research, and trauma-informed institutional analysis. The institutional dimensions identified in this synthesis are summarized in Table 2 (p. 11).

Analysis: Identifying Five Patterns of Accountability Gaps in the Realization of Women's Rights

Building on the analytical framework developed in Chapter 3, this chapter examines how the central implementation gap is manifested through recurring accountability gaps across the cumulative articles. Sections on accountability gaps (pp. 10-11) primarily address the first sub-research question concerning differences in the capacity of legal frameworks to promote equality and access to justice, while also identifying the circumstances under which accountability gaps manifest as institutional or judicial betrayal. Across the cumulative studies, the synthesis identifies five recurring patterns of accountability gaps. The implications of these findings are examined in the *Discussion* chapter (p. 13), where the research questions are addressed comprehensively.

Accountability Gaps in Court Hearings: Institutional and Judicial Betrayal in Legal Practice

This synthesis and case material (Brink, R.R., May 21, 2026; Apr. 22, 2026; Dec. 11, 2025; Nov. 26, 2025) demonstrate how institutional and judicial betrayal may manifest in legal practice, particularly in sexual violence, family law, and related proceedings. Across these studies, a recurring pattern of implementation gaps concerns the divergence between formal legal safeguards and their practical realization in contexts involving vulnerable litigants and power asymmetries. This pattern is consistent with findings in the broader literature. Smith and Freyd (Sept. 2014) illustrate institutional betrayal through cases in which trusted institutions failed to respond adequately to reports of sexual violence. One example concerns a college freshman who reported a sexual assault and experienced an insensitive investigative process and subsequent harassment, contributing to severe psychological distress (Smith & Freyd, Sept. 2014). Comparable dynamics

have also been documented in military settings, where individuals may be reluctant to report sexual violence due to fears of retaliation, career consequences, or institutional indifference (Smith & Freyd, Sept. 2014).

These examples indicate that institutional betrayal extends beyond the original act of victimization. Harm may be intensified when institutions responsible for protection, support, and accountability fail to respond appropriately or create conditions that discourage reporting and help-seeking. In such circumstances, the institution itself may become a source of additional harm through procedural neglect or responses that undermine trust and protection. Within the present analytical framework, institutional betrayal arises not only from acts of omission but also from institutional practices and procedures that reinforce vulnerability, silence disclosure, or contribute to secondary victimization. As Smith and Freyd (Sept. 2014) highlight, despite its significant consequences, institutional betrayal remains insufficiently recognized within both legal and institutional scholarship (Smith & Freyd, Sept. 2014).

Accountability Gaps in International Protection Mechanisms: State Responsibility and Institutional Betrayal

The international studies demonstrate recurring implementation gaps that manifest as accountability gaps caused by weak enforcement, state sovereignty, uneven implementation, and limited accountability mechanisms. While legal provisions for women’s human rights exist, enforcement and compliance are uneven or absent. When examining how legal protection materializes in practice, a recurring pattern of institutional betrayal becomes apparent. While treaties and declarations such as the UDHR (1948) and CEDAW (Mar. 8, 2023) formally guarantee gender equality, their implementation is constrained

by state sovereignty, uneven enforcement mechanisms, and the exclusion of non-state actors from effective accountability frameworks.

The literature demonstrates that international law is applied selectively and often depends on political will, with enforcement weakening in contexts where states or actors fall outside conventional treaty structures. Scholars such as Charlesworth and Chinkin, Khorram-Manesh and Burkle, and Klabbers further highlight how international legal systems are shaped within historically male-dominated structures that restrict women’s participation and influence (Charlesworth & Chinkin, 2000; Khorram-Manesh & Burkle, Oct 14, 2022; Klabbers, 2021). Taken together, these findings suggest a broader form of institutional betrayal at the international level, where legal systems that formally promise protection fail to deliver consistent or enforceable safeguards in practice.

Synthesizing Five Patterns of Accountability Gaps: Accessibility, Procedural Justice, Enforcement, and Institutional Accountability

Across the domestic case studies, implementation gaps are closely associated with marked power asymmetries between the parties and manifest through recurring accountability gaps. Throughout this synthesis, accountability gaps — including accessibility, procedural justice, enforcement, and institutional accountability — constitute the recurring empirical patterns identified across the case studies, whereas institutional betrayal and judicial betrayal provide the interpretive frameworks for understanding how these gaps are experienced by rights holders. Thereby, the implementation gaps manifest as accountability gaps, which can be interpreted as institutional and/or judicial betrayal. The five recurring patterns identified across the cumulative studies are summarized in Table 2 and discussed in detail below.

Pattern	Context	Institutional & the primary accountability gap	Manifestation
1	Domestic adjudication: advocacy, criminal proceedings, & divorce	Procedural inequality & weak enforcement of protections	Institutional & judicial betrayal
2	Employment protections, layoff, health and safety, adjudication	Weak enforcement of labor protections and procedural justice gap	Institutional & judicial betrayal
3	Asylum	Barriers to accessibility	Institutional betrayal
4	International criminal law	Barriers to protection and procedural justice	Judicial betrayal
5	Human rights and climate governance	Weak treaty enforcement and governance	Institutional betrayal

Table 2: Five recurring patterns of accountability gaps across the included studies.

In the advocacy, divorce, and employment cases, the women faced opposing parties with substantially greater institutional, professional, or economic resources. In contrast, the criminal proceedings involved an individual defendant without comparable institutional influence, and the victim obtained somewhat greater legal recognition. These findings suggest that the realization of women’s rights depends not only on the applicable legal framework but also on the relative power of the parties involved. The findings further suggest that power asymmetries create conditions in which accountability gaps

are more likely to emerge. Utilitarian reasoning offers one possible explanation for why decision-makers may prioritize institutional or resource-rich actors over vulnerable individuals, whereas institutional betrayal and judicial betrayal explain how such failures are experienced by the rights-holders. All domestic adjudication cases accordingly indicate that little or no weight was afforded to the victim’s evidence and testimony, signalling judicial betrayal. Yet, the criminal case illustrates a broader pattern in which the institutional and social power of the opposing party appears to influence the realization of women’s rights.

Across the reviewed studies, five recurring patterns of accountability gaps emerge in domestic, international, and transnational legal contexts. Although the legal fields differ substantially, the findings consistently reveal a gap between formally recognized rights and their realization in practice. The domestic advocacy, divorce, employment, and criminal cases also reveal accountability gaps among governmental officers, resulting in weak oversight and limited accountability. Taken together, these findings suggest that implementation gaps are systemic rather than isolated. They arise through identifiable institutional mechanisms that limit substantive equality and women's access to justice.

Limited Domestic Equality Before the Law Through Procedural Inequality and Accountability Gaps

A first pattern emerges in domestic adjudication, particularly in advocacy, family law, divorce, and criminal proceedings (Brink, R.R., May 21, 2026; Apr. 22, 2026; Dec. 11, 2025; Nov. 26, 2025). These evidence-based studies identify recurring accountability gaps in domestic adjudication, which, within the analytical framework adopted in this synthesis, are interpreted as manifestations of judicial betrayal. This is possible because there is no independent mechanism to systematically monitor the conduct or performance of judges and attorneys regarding equality before the law and just processes under the Code of Judicial Procedure(2019). National law guarantees equality before the law, requiring adjudication to be based on truth and evidence and applied equally to both parties. However, the inaction identified in these case studies limited opportunities to identify recurring procedural shortcomings, allowing accountability gaps to persist despite formal legal remedies.

Collectively, the studies indicate that power asymmetries between litigants and between parties and legal professionals may influence the practical realization of legal rights, raising concerns about women's access to justice and equality before the law. They also suggest institutional bias within domestic legal processes, whereby parties with greater legal, economic, or organizational resources may be better positioned to secure favorable outcomes than more vulnerable litigants.

The criminal case differs somewhat. The victim obtained partial justice, possibly because her social position was viewed more favorably than that of the defendant. Nevertheless, she was prevented from presenting all relevant evidence, limiting her equality before the law. Although these studies do not establish elite capture, they raise concerns about whether accountability gaps and discretionary decision-making disproportionately benefit well-resourced or repeat institutional actors. The divorce case further illustrates how pre-existing professional relationships between opposing counsel and former judicial officeholders may intensify procedural inequality. Across these studies, institutional betrayal and judicial betrayal help explain why formally available legal protections may fail to produce meaningful remedies in practice.

Weak Implementation of Labor Protections Through Enforcement Gaps

A second pattern concerns implementation gaps of legal

protections in employment, layoffs, and occupational health and safety disputes (Brink, R.R., Dec. 11, 2025). The findings identify implementation gaps that are interpreted as institutional betrayal in the enforcement of legal safeguards intended to protect vulnerable employees from workplace harms such as mold exposure. Although labor protections exist, enforcement authorities do not consistently ensure compliance, indicating a need for more effective monitoring.

The prolonged inaction of governmental authorities contributed to ineffective enforcement, while administrative, procedural, and evidentiary barriers limited the practical effectiveness of existing legal protections. The case also demonstrates a clear asymmetry between the plaintiff and her prominent employer, which, within the analytical framework adopted in this synthesis, is interpreted as judicial betrayal. The principal accountability gaps concerned the courts' failure to consider the victim's evidence and the inaction of governmental authorities responsible for implementing legal protections. Together, these findings illustrate broader accountability gaps within legal and regulatory systems despite the existence of formal legal obligations.

Accessibility Gaps in International Protection Through Territorial and Socio-Economic Barriers

A third pattern emerges within asylum and international protection systems (Brink, R.R., Jan. 19, 2026). The evidence suggests that formally neutral legal provisions may produce unequal outcomes in practice because territorial, geographic, and socio-economic constraints affect access to protection. As asylum is generally available only outside the country where protection is needed, women facing mobility restrictions, poverty, and conflict-related barriers may encounter significant obstacles in accessing available protection mechanisms. Within the analytical framework adopted in this synthesis, the study is interpreted as illustrating institutional betrayal through the limited local implementation of the asylum provision under the Refugee Convention (1951) and as demonstrating how equality before the law may be affected by territorial, geographic, and socio-economic disparities in access to legal protection. Unlike the other legal frameworks examined in this synthesis, the Refugee Convention appears to be implemented comparatively more effectively than the other international instruments included in this research.

Secondary Victimization and Inadequate Protection Through Gaps in Procedural Justice and Enforcement in International Criminal Courts

A fourth pattern concerns international criminal justice, protection mechanisms for victim-witnesses of conflict-related sexual and gender-based violence (SGBV), and in-court testimony (Brink, R.R., July 28, 2025; July 2, 2025). These studies identify procedural justice gaps that may contribute to secondary victimization despite extensive procedural safeguards designed to protect victims who testify. Although the legal framework provides important protections, SGBV victim-witness participation in criminal proceedings concerning sexual violence may itself contribute to secondary victimization because defendants' fair trial rights require

extensive cross-examination and public proceedings.

The studies further identify accountability gaps in the implementation of post-trial protection and victim support. International criminal courts and tribunals lack their own police force to enforce protective measures, and compensation for victims is often limited or unavailable. Within the analytical framework adopted in this synthesis, these findings illustrate institutional betrayal, where international institutions are unable to fully realize their protective functions. Judicial betrayal is illustrated where survivors experience retraumatization due to judicial proceedings despite procedural safeguards intended to protect them.

Weak Treaty Implementation Through Enforcement and Governance Gaps in International Human Rights and Climate Governance

A fifth pattern emerges across international human rights law and climate governance (Brink, R.R., Oct. 31, 2025; Sept. 29, 2025; May 26, 2025; Apr. 2025). These studies identify persistent implementation gaps manifested through governance and enforcement gaps between formal international commitments and their practical realization. Although states formally commit themselves to international human rights obligations, implementation remains uneven because of weak compliance mechanisms, limited enforcement, and differing national priorities. Consequently, the legitimacy gained through treaty ratification is not necessarily matched by effective implementation, and accountability gaps prevent these commitments from being fully realized in practice.

Consistent with Klabbers (2021), the findings suggest that state commitment to international treaties does not necessarily translate into consistent implementation when compliance no longer aligns with national interests (Klabbers, 2021). Within the analytical framework adopted in this synthesis, this helps explain recurring governance and enforcement gaps. Although international commitments are formally accepted, accountability gaps emerge where effective compliance, monitoring, and enforcement mechanisms are lacking. International accountability also depends on institutional design. Because international law relies primarily on state consent and decentralized implementation, accountability gaps arise where institutions lack jurisdiction, enforcement authority, or effective compliance mechanisms. The findings further suggest that accountability gaps at the national level undermine the practical realization of international and European legal obligations. International climate change studies also indicate that the increasing use of broad gender terminology may weaken the practical implementation of women's rights.

Collectively, the findings demonstrate that implementation gaps, manifested through recurring accountability gaps, rather than the absence of legal rights, constitute a principal obstacle to the realization of women's rights across the legal contexts examined. Although domestic, European, and international legal frameworks formally guarantee equality and access to justice, these rights are frequently undermined by recurring

implementation, enforcement, procedural justice, accessibility, and institutional accountability gaps. Within the analytical framework adopted in this synthesis, institutional betrayal is interpreted as occurring where trusted institutions fail to fulfil their protective or remedial functions, whereas judicial betrayal describes accountability gaps arising within adjudicative processes in courts.

Taken together, the findings demonstrate that implementation gaps in women's rights recur because accountability mechanisms fail in similar ways across diverse legal contexts despite differences in the legal field, institutional setting, and applicable legal framework. The findings therefore suggest that women's institutional legal protection depends not only on the formal recognition of their rights but also on the effectiveness of accountability mechanisms responsible for their implementation. The domestic studies further suggest that accountability gaps are not isolated procedural failures. Rather, they emerge where institutional discretion, limited oversight, and unequal power between the parties interact, limiting the practical realization of equality before the law.

Discussion: Accountability Gaps and Legal Reform for Women's Rights Protection

Although this synthesis examines the implementation of women's rights, it also provides broader insights into why legal rights fail in practice. If legal rights are to become effective in practice, societies must address the institutional conditions that create implementation gaps. The cumulative findings indicate that recurring accountability gaps constitute the principal obstacle to the realization of women's rights. Rather than representing isolated legal failures, these gaps reflect broader patterns of institutional accountability operating across multiple institutional levels.

The synthesis demonstrates that implementation depends on interconnected dimensions of institutional accountability, including enforcement, procedural justice, and accessibility. Where accountability fails, legal protections may exist formally but remain ineffective in practice because of inadequate enforcement, inconsistent application of the law, procedural deficiencies, unequal power relations, or limited institutional oversight. Consequently, implementation gaps may manifest as institutional or judicial betrayal. Although these mechanisms differ between domestic and international legal systems, they produce similar outcomes by preventing the effective realization of women's rights. Strengthening accountability, therefore, requires reforms operating across four interconnected levels.

The discussion follows an analytical continuum reflecting the progressive protection of women's rights, moving from prevention through international human rights law, to protection through asylum law, implementation through domestic adjudication, and, where these mechanisms fail, accountability through international criminal justice. This analytical order does not reflect a hierarchy of legal importance. Rather, it represents the sequence through which institutions ideally protect women's rights by preventing violations, providing

Identifying the Domestic and International Differences in Women's Rights Protection and Answering the First Research Question

Domestic Frameworks	International Frameworks
Police and prosecutors	States and international organizations
Courts and administrative authorities	Treaty bodies and international courts
Judicial discretion	State consent and political will
Evidentiary assessment	Limited enforcement mechanisms
Direct implementation	Indirect implementation

The findings synthesized across the cumulative studies are further supported by the broader literature on institutional responses to harm, access to justice, and accountability. The domestic civil, employment, family, and criminal justice processes demonstrate that the effective protection of women's rights depends heavily on judicial and administrative decision-making. In these contexts, power asymmetries between vulnerable individuals and more resourceful litigants may influence legal outcomes despite formally available safeguards. Similar dynamics emerge within international legal frameworks, where enforcement mechanisms remain limited.

criminal proceedings, evidentiary requirements and procedural safeguards are essential components of due process, but they may also contribute to secondary victimization when victims experience legal proceedings as insufficiently responsive to their harm. Similarly, the effectiveness of human rights protection and climate governance depends on institutional and political factors that individuals cannot directly control. Consequently, non-state actors, as well as states that have not accepted specific treaty obligations, may fall outside effective international accountability frameworks. Within climate governance, women may also experience limited participation in decision-making processes and unequal access to climate-related funding and resources.

Synthesized Legal and Institutional Reforms: From Prevention to International Criminal Justice

1. preventing human rights violations through international legal frameworks;
2. protecting vulnerable populations;
3. correcting institutional failures through national legal systems and adjudication;
4. ensuring accountability through international criminal justice.

Preventing Women's Rights Violations through CEDAW and the UDHR

Recommendation 1: International Prevention

Volume 8 | Issue 4 | 14 of 19

Recommendation 2: International Accountability

Reduce accountability gaps by linking international assistance, financial incentives, and development cooperation to measurable progress in protecting women's human rights and implementing international legal obligations.

Recommendation 3: Accessibility and Implementation

Improve the implementation of women's human rights by communicating international legal rights in accessible language, promoting public understanding, and supporting their effective incorporation into national legal systems.

Recommendation 4: Global Collaboration

Enhance global collaboration by promoting shared responsibility for women's rights, supporting research on women's rights, and expanding educational and economic opportunities that foster long-term gender equality.

Strengthening Proximity-Based Refugee Protection, Accountability, and Refugee Self-Reliance

Recommendation 1: Proximity-Based Refugee Protection

Address refugee protection by prioritizing proximity-based assistance that enables displaced populations to access humanitarian protection, education, employment opportunities, and long-term support within or near their regions of origin whenever safe and practicable.

Recommendation 2: Sustainable Refugee Self-Reliance

Promote sustainable refugee protection by supporting self-reliance through proximity-based education, vocational opportunities, and economic empowerment while facilitating voluntary return when conditions permit.

Recommendation 3: Preventive Responses to Displacement

Address preventive international responses to the underlying causes of forced displacement through coordinated diplomatic, humanitarian, and economic measures that promote peace and stability.

Recommendation 4: Asylum Procedures and Integrity

Improve the integrity of asylum procedures through fair and accountable asylum procedures.

Recommendation 5: Safe and Equitable Access to Asylum

Promote safe and equitable access to asylum by reducing incentives for dangerous migration routes and developing procedures that minimize exposure to exploitation, trafficking, and conflict-related sexual and gender-based violence.

Recommendation 6: Accountability within Asylum Systems

Strengthen accountability within asylum systems by ensuring compliance with immigration procedures, responding effectively to fraud and serious criminality, and balancing humanitarian protection with public safety and the rule of law.

Reforming Domestic Legal and Institutional Systems

Collectively, the findings suggest that the implementation of domestic law requires legal and institutional reforms

concerning courts, judges, attorneys, governance, and other domestic legal institutions. These reforms seek to strengthen institutional women's rights implementation by ensuring fair adjudication, improving evidentiary accuracy, enhancing judicial transparency and accountability, and promoting the consistent application of the law. Examples include certified verbatim transcripts of proceedings, the right to raise objections during hearings, and judicial obligations to explain the governing legal framework.

Recommendation 1: Judicial Integrity, Transparency, and Accountability of Courts and Judges

Strengthen judicial integrity, transparency, and accountability by introducing independent layperson jury participation, limiting judicial discretion to procedural guidance, and reinforcing oversight to prevent abuses of power and ensure equal treatment before the law.

Recommendation 2: Evidentiary Accuracy

Improve evidentiary accuracy by requiring mandatory verbatim transcription of all court proceedings, thereby creating certified records that accurately document testimony and reduce procedural misconduct.

Recommendation 3: Procedural Fairness

Enhance procedural fairness by guaranteeing parties the right to raise objections during hearings, thereby strengthening due process and reducing opportunities for procedural fraud.

Recommendation 4: Consistent Application and Understanding of the Law

Ensure the consistent application of the applicable law by requiring judges to explain the governing legal framework before the hearing, using accessible communication methods that enable meaningful participation by laypersons and the parties.

Recommendation 5: Governance and Public Administration

Strengthen governmental accountability through performance-based governance, measurable public service outcomes, and consistent enforcement of employment, occupational health, and equality legislation.

Recommendation 6: Attorney Transparency and Accountability

Address transparency and accountability within the legal profession by establishing independent external oversight of attorneys, reducing institutional self-regulation, and ensuring impartial investigation of professional misconduct.

Recommendation 7: Inclusive Legal Governance within Advocacy

Promote inclusive and transparent legal governance by ensuring balanced stakeholder participation in legislative reform and implementation, thereby reducing professional monopolies and supporting the faithful implementation of legal reforms.

Recommendation 8: Interdisciplinary Participation in Adjudication

Incorporate interdisciplinary approaches, such as psychological ones, into adjudication, facilitate research, and improve transparency, institutional accountability, and the prevention of mental harm.

Strengthening Accountability Through International Criminal Justice for Conflict-Related SGBV

Recommendation 1: Trauma-Informed Protection of SGBV Victim-Witnesses

Enhance trauma-informed protection of SGBV victim-witnesses by minimizing secondary victimization, reducing repeated exposure during investigations and trials, providing mandatory protective measures, and integrating psychological expertise throughout international criminal proceedings.

Recommendation 2: Victim-Witness Participation and Procedural Efficiency

Reform victim-witness participation by limiting direct participation to those personally affected by the crimes under prosecution, expanding secure remote participation, and improving procedural efficiency while minimizing secondary victimization.

Recommendation 3: Evidentiary Procedures for SGBV Victim-Witnesses

Reform evidentiary procedures by recognizing the unique circumstances of conflict-related SGBV, strengthening the evidentiary value of victim-witness testimony, and reducing reliance on repeated oral testimonies.

Recommendation 4: Early Evidentiary Preservation for SGBV Victim-Witnesses

Strengthen international criminal procedure through the early preservation of conflict-related SGBV victim-witness testimony by recording the initial account at the earliest practicable stage of the investigation and using it as the principal evidentiary record throughout subsequent proceedings. This approach preserves evidentiary accuracy, secures testimony that might otherwise be lost, and minimizes secondary victimization.

Recommendation 5: Consistent Evidentiary Standards for SGBV

Establish consistent evidentiary standards across international criminal courts by rejecting consent as a defence in cases of conflict-related SGBV and harmonizing procedural rules governing the assessment of sexual violence evidence.

Recommendation 6: International Accountability for SGBV

Strengthen international accountability by linking international assistance and post-conflict support to effective prevention of conflict-related SGBV while prioritizing resources for survivor protection, recovery, and rehabilitation.

Concluding the Synthesis of the Legal and Institutional Improvements and Answering the Second Research Question

Taken together, the synthesized recommendations demonstrate that the cumulative findings extend beyond the individual case studies to propose a coherent framework for legal and institutional reform across multiple levels. At the international level, the recommendations emphasize preventing violations of women's human rights through stronger implementation of international human rights instruments, early intervention, accountability, and empowerment. Where prevention fails, the findings advocate strengthened local asylum procedures that prioritize safety, accountability, and sustainable support in countries in need. At the national level, the research highlights the need to improve judicial integrity, procedural fairness, evidentiary reliability, and institutional accountability within domestic legal systems.

Finally, where national protection is insufficient and grave international crimes occur, the findings recommend strengthening international criminal justice through trauma-informed procedures, early evidentiary preservation, harmonized evidentiary standards, and enhanced accountability for conflict-related sexual and gender-based violence. Collectively, these recommendations present an integrated framework for strengthening women's legal protection across the continuum of prevention, protection, domestic adjudication, and international criminal justice. Rather than proposing new substantive legal rights, the recommendations primarily seek to strengthen the institutional implementation, accountability, and enforcement of existing legal protections.

The findings therefore answer the second assisting research question by demonstrating that improvements in women's rights protections require coordinated legal and institutional reforms operating across prevention, protection, domestic adjudication, and international criminal justice.

Concluding Structural Failures in Women's Rights Protection and Answering the Main Research Question

This cumulative synthesis of eleven peer-reviewed studies makes three principal contributions. First, it integrates empirical findings from original case studies conducted in Finland with studies examining international legal frameworks across multiple fields of law into a coherent socio-legal synthesis. Second, it identifies the accountability gap as the common mechanism underlying implementation failures affecting the effective legal protection of women's rights. Third, it develops an integrated accountability framework linking the prevention, protection, implementation, and accountability mechanisms necessary for women's institutional protection across domestic and international legal systems.

Answering the Main Research Question: Institutional Circumstances Give Rise to Institutional and Judicial Betrayal

This synthesis demonstrates that its principal theoretical contribution is identifying institutional betrayal not as a separate legal failure but as the cumulative outcome of

persistent accountability failures operating across multiple institutional levels. Therefore, the answer to the main research question is that implementation gaps manifest as institutional or judicial betrayal when institutions entrusted with protecting women's rights possess the authority and legal responsibility to act but fail to fulfil those responsibilities because accountability mechanisms, enforcement, procedural fairness, institutional oversight, or political commitment are insufficient. Under these circumstances, formally recognized legal rights remain inadequately implemented in practice, thereby producing systemic failures of protection across domestic and international legal systems.

Contributions of the Synthesis: Conceptual, Analytical, and Practical Contributions

By synthesizing findings across diverse legal fields, this synthesis developed an integrated accountability framework that explains common implementation failures affecting women's rights and proposes coordinated legal and institutional reforms spanning prevention, protection, domestic adjudication, and international criminal justice. Conceptually, the synthesis demonstrates that institutional betrayal is the cumulative outcome of persistent accountability gaps rather than a distinct legal failure. Analytically, it develops a continuum linking prevention, protection, domestic adjudication, and international criminal justice, thereby integrating findings from diverse legal fields into a coherent accountability framework. Practically, it proposes coordinated legal and institutional reforms operating across international and domestic levels rather than within isolated areas of law.

Practical Implications

The findings have implications for legislators and governments by highlighting the importance of effective implementation, monitoring, and institutional accountability. Domestic legal institutions may strengthen women's rights through greater procedural fairness, reliable evidentiary practices, and consistent application of the law. International organizations and international criminal tribunals may further enhance women's protection by strengthening victim-centred procedures and trauma-informed approaches, particularly in cases involving conflict-related sexual and gender-based violence.

Future Research

To suggest further research, empirical testing of the recommendations in this synthesis could measure their practical value in enhancing the implementation of women's rights protections. Comparative studies examining different legal frameworks for women's rights protections could identify common challenges and evaluate potential institutional improvements. Future research should also prioritize empirical studies of adjudication, as that is the meeting point for both legal professionals and laypeople. Thus, greater emphasis should be placed on research examining just adjudication in both domestic and international legal systems.

Concluding Remarks: Accountability to Implement Must be Enforced

The cumulative publications demonstrate that different

institutions fail to realize legal protection. By synthesizing these findings across domestic and international legal systems, this study further demonstrates that institutional women's rights protection depends fundamentally on the accountability of the institutions responsible for implementing them. Thus, the implementation of women's rights depends less on the creation of additional legal norms than on the capacity of institutions to implement existing protections fairly, transparently, and accountably. Implementation gaps arise when institutions entrusted with protecting women's rights fail to exercise the authority and responsibility they already possess because accountability mechanisms are inadequate. Consequently, the effective realization of women's rights requires institutions that not only recognize legal rights in principle but also possess the capacity, accountability, and commitment to implement them consistently in practice.

By integrating findings across diverse legal contexts, this synthesis contributes an integrated accountability framework explaining how prevention, protection, implementation, and accountability operate together to achieve the institutional realization of legal protection for women. Although the legal contexts examined differ substantially, the synthesis demonstrates that recurring accountability gaps constitute a common institutional challenge across legal systems. Enhancing institutional accountability, therefore, represents not only a means of improving individual legal procedures but also a prerequisite for ensuring that formally recognized rights become effective legal protection in practice. *Ultimately, women's rights are realized not simply through legal recognition but through institutions that are accountable for implementing, enforcing, and protecting those rights.*

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