



Economic and Social Council

Distr.: General
15 December 2009

Original: English

Commission on the Status of Women

Fifty-fourth session

1-12 March 2010

Item 3 (a) (i) of the provisional agenda*

Follow-up to the Fourth World Conference on Women and to the twenty-third special session of the General Assembly, entitled “Women 2000: gender equality, development and peace for the twenty-first century”: implementation of strategic objectives and action in critical areas of concern and further actions and initiatives: review of the implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special session and its contribution to shaping a gender perspective in the realization of the Millennium Development Goals

Statement submitted by Stree Atyachar Virodhi Parishad, a non-governmental organization in consultative status with the Economic and Social Council

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

* E/CN.6/2010/1.



Statement

Beijing +15 progress response

Violence against women

1. Achievements:

(a) The Protection of Women from Domestic Violence Act 2005 is a key achievement. This Act is very important, displays a feminist spirit and, if well implemented, will provide practical relief to victims of violence;

(b) A number of institutional measures and Governmental schemes now focus on helping victims of domestic violence;

(c) There is an increasing number of all-women police stations, available in most major cities. This matters greatly to the victims of violence, although we find that most female police officials are police officials first and women last;

(d) Laws against selective abortions have been increasingly tightened, although they are not well implemented;

(e) Women increasingly see themselves as possessing the right to live a violence-free life.

2. Challenges:

(a) In India, there is an act of violence perpetrated against women every 7 minutes, a molestation every 26 minutes, a rape every 54 minutes and a dowry death every 93 minutes;

(b) The Government machinery, and most of the voluntary sector, are intent on preserving the family, at the cost of the safety of women;

(c) Women are the first victims of social unrest. Increasing religious, caste, terrorist and sectarian clashes adversely affect the safety of women. This was most recently seen in the Shopian rape case;

(d) The outcome of *Vishakha v. Rajasthan* continues to be largely ignored within private workplaces and is only perfunctorily implemented in governmental workplaces. Anecdotal evidence exists that, within the celebrated information technology/call-centre industry of India, sexual violence against women is endemic;

(e) The State greatly adds to the burden because its machinery displays an overwhelmingly patriarchal bias. Over the period extending from Mathura in 1973, Bhawari in 1992 and Priya Vishwanathan in 2008 to the mechanical and half-hearted implementation of the Domestic Violence Act to date, nothing has changed in the approach of the police, in the investigative techniques used, in the approach of the judiciary and in conviction rates.

3. Emerging issues:

(a) Incidents of sexual exploitation of very young girls inside the family are being increasingly reported. This can be attributed only partially to better reporting;

(b) Divorce rates are increasing; unique forms of violence are being directed against women who live without the protecting umbrella of a father, a husband or a son. Some of these forms are subtle, such as that involving the increased risk of

sexual violence at the workplace, while some are obvious, such as denial of resources. These expressions of violence seem to be escalating;

(c) Dowry now enjoys something of an established middle-class respectability which it did not enjoy 10 years ago;

(d) Violence against Dalit women has escalated, with the recent case in Khairlanji being symptomatic of this escalation.

4. Recommendations:

(a) Violence against women destroys women's human rights and basic freedoms. The predominance of patriarchal values in Indian society legitimizes violence against women. Mass media must expose violence against women in all its commonplace and ugly glory. Men must be sensitized by non-governmental organizations and by the mass media to the fact that violence by men against women is symptomatic of men's insecurities and inferiority complexes. Men must, further, be sensitized to the fact that these insecurities and complexes can be overcome. Women must be sensitized by non-governmental organizations and by the mass media to the fact that the power imbalance between men and women results in violence against women, and that this power imbalance and traditional patriarchal roles are unnecessary and must be challenged by them;

(b) Statistics must be collected highlighting the lacunae and the patriarchal predominance in the implementation of laws, schemes and policies designed to abolish violence against women. Absence of political will to abolish violence against women, as evidenced in governmental records, debates, policies and action, must be documented and researched. The findings of both these initiatives must be widely publicized among female voters;

(c) Men commit violence against women because it is easy to do so, and because they suffer no consequences. Girls and women must be sensitized to the fact that domestic violence must and can be resisted emotionally and practically;

(d) The density and penetration of schemes like short-stay homes, family counselling centres and helplines must be increased so that victims of violence can secure shelter, security and emotional support;

(e) Protection officers under the Domestic Violence Act 2005 must be appointed but must not be revenue officers or administrative officers who juggle involvement with more than three different operational teams. Ideally, they should be feminist, socially aware and resourceful administrative officers.

Women in power and decision-making

5. Achievements: the 73rd Constitutional amendment reserved 33 per cent of spaces in local government for women; 970,000 out of the 2.8 million elected local government representatives in India today are women. On 27 August 2009, India's Cabinet passed a resolution to increase this reservation to 50 per cent!

6. Challenges: the newly elected United Progressive Alliance (UPA) Government has not made good on its electoral promise to bring about 33 per cent reservation for women in Parliament.

7. Emerging issues: a key issue arises, namely, that although the political participation of women has increased in local government, even there, women have

not delivered “clean and green” politics, as they were expected to do. They have provided some visibility for women’s issues and have served as role models for other women, but they have not been able to break out of the political establishment’s corrupt and inefficient style of functioning.

8. Recommendations:

(a) Thirty-three per cent reservation for women in the Parliament is a must. The fact that the Government is willing to grant reservations in the local government but not in the Parliament is an obvious and unmistakable sign that the current class of politicians has deep-seated prejudices regarding the intellectual and administrative abilities of women;

(b) The Government should implement gender-based reservations within the Civil Services;

(c) All elected governmental and semi-governmental offices other than the Parliament should have 50 per cent reservation for women;

(d) Criminalization of politics acts as a deterrent to the political participation of women. However, democratic solutions do exist, which only a lack of political will keeps from being implemented. These solutions are beyond the scope of the present response; however, as an example, those contesting elected office who have been charged with a crime can undergo a fast-track inquiry that determines whether they were charged under a frivolous claim meant only to render them ineligible or whether they were charged on substantial grounds. This inquiry can be staffed with retired judges and civil servants. Those who do not qualify pursuant to this inquiry may be held to be ineligible for elected office.

The girl child

9. Achievements:

(a) Laws against selective abortions and child marriages have been tightened in the past five years;

(b) The Government has made concerted efforts to publicize and raise awareness about the rights of the girl child in the past five years;

(c) The Conditional Cash Transfer for the Girl Child with Insurance Cover (CCT) scheme (2008), Balika Samriddhi Yojana (BSY), Kishori Shakti Yojana (KSY) and the Nutrition Programme for Adolescent Girls (NPAG);

(d) Urban, semi-urban and rural men seem to play an increasingly active role in the upbringing of children, including girls; they also display fewer negative perceptions and biases against girl children than they did 15 years ago.

10. Challenges:

(a) Girls continue to remain deprived on a large scale of their basic rights to survival, health, education, proper socialization and a fruitful, peaceful life solely because they were unwanted;

(b) The nature of the patriarchal prison constructed around girl children, which deprives them of these basic human rights, remains under-researched;

(c) Psychologically, girls suffer from inferiority complexes. Generally by the time they are 7 years of age, patriarchy need not even assert itself: the mind of the girl in India does the work of holding her back on its own;

(d) Specific practices, such as female infanticide, female child labour, female child marriages, early marriages and trafficking in the girl child, continue unchallenged.

11. Emerging issues: an apparent increase in sexual exploitation of young girls in schools, by the roadside, and even in temples and in the family has been reported based on anecdotal evidence. This increase cannot be attributed to better reporting alone.

12. Recommendations:

(a) A perception of being second-class citizens informs the life of girls from a very young age. This false perception creates an incalculable waste of human resources. The Government must recognize the roots of this problem of waste and act on a war footing to ensure proper nutrition, health, education and socialization of girls;

(b) Over the medium term, all gender-discriminatory education systems, media, teachers and environmental factors in the classroom should be reformed through deliberate action that creates a pro-girl bias;

(c) The Indian Penal Code, section 176, is inadequate in its scope as regards effectively addressing the sexual exploitation of young girls. The tests for both proof of resistance and proof of sexual intercourse need to be amended so as to reflect the context in which young girls are sexually exploited;

(d) Rights of the girl child do not feature as a stable part of the narrative. More significant research into their rights is required.
