

# Bi-Monthly Legal News

Partners for Law in Development (PLD), Issue-10, August, 2009

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# INTERNATIONAL

## UPDATES FROM THE UN

### **New Special Rapporteur on Violence Against Women appointed**

On 18 June 2009, the Human Rights Council appointed Rashida Manjoo Special Rapporteur on Violence against Women, Its Causes and Consequences. Before her appointment as Special Rapporteur, Manjoo served as an Advocate of the High Court of South Africa and as a member of the Commission on Gender Equality (CGE), a body created by South Africa's Constitution to promote gender equality in that nation. She founded the Gender Unit at the Law Clinic at the University of Natal and the Domestic Violence Assistance Programme at the Durban Magistrates Court, and has also served as an Advisory Board member of the Women's Initiatives for Gender Justice in the International Criminal Court.

Source:

[http://www.stopvaw.org/UN\\_Appoints\\_New\\_Special\\_Rapporteur\\_on\\_Violence\\_Against\\_Women\\_Its\\_Causes\\_and\\_Consequences.html](http://www.stopvaw.org/UN_Appoints_New_Special_Rapporteur_on_Violence_Against_Women_Its_Causes_and_Consequences.html)

### **CEDAW Optional Protocol invoked by a Peruvian teen**

A 16-year-old Peruvian rape survivor who suffered devastating consequences after being denied an abortion filed a human rights petition against her government before the United Nations Committee on the Elimination of Discrimination against Women (CEDAW). The CEDAW Committee monitors states' compliance with the Convention on the Elimination of All Forms of Discrimination against Women. She has charged that Peru's failure to implement measures that guarantee a woman's ability to obtain essential reproductive health services in a timely manner, particularly legal abortion, not only violates the Peruvian Constitution, but international treaty obligations. Among other remedies, she is asking that the Peruvian government acknowledges the human rights violation; provide her with reparations, including physical and mental rehabilitation; and issue necessary measures so that no other woman is denied her right to comprehensive health care and therapeutic abortion.

Source: <http://reproductiverights.org/en/press-room/teen-rape-victim-files-case-against-peru-in-un-committee>

### **New mandate of Independent Expert on Cultural Rights created**

During the 11<sup>th</sup> session of the UN Human Rights Council (UNHRC) a new mandate of the Independent Expert on Cultural Rights was created. The cultural rights mandate is of vital importance to women and other marginalized groups in face of the growing conservative/fundamentalist forces that seek to compromise women's equality and the principle of universality of human rights through cultural relativist arguments. There is no clear definition of cultural rights and it is a mandate that must be framed carefully so as not to compromise the recent advances, including those made by the UN Special Rapporteur on violence against women (VAW): causes and consequences, Yakin Ertürk, by her work on culture with respect to

women's human rights, the political economy of VAW, and state obligations of due diligence. Therefore, there is a need to frame cultural rights with a feminist perspective. It is also interesting to note that in the same session a resolution on "traditional values" was proposed which has been reserved for voting till the September 2009 session of the Human Rights Council.

### **Maternal Mortality Resolution passed by UN Human Rights Council**

On 16 June 2009, the Human Rights Council in its Eleventh Session passed a resolution expressing "grave concern at the unacceptably high global rate of preventable maternal mortality and morbidity". The resolution recognized "that most instances of maternal mortality and morbidity are preventable, and that preventable maternal mortality and morbidity is health, development and human rights challenge, which also requires the effective promotion and protection of the human rights of women and girls, including in particular their rights to life, to be equal in dignity, to education, to be free to seek, receive and impart information, to enjoy the benefits of scientific progress, to freedom from discrimination, and to enjoy the highest attainable standard of physical and mental health, including sexual and reproductive health." States were thus requested to renew their political commitment to eliminate this preventable phenomenon. As part of the resolution, the council requested that the U.N. High Commissioner for Human Rights (OHCHR) prepare a "thematic study on preventable maternal mortality and morbidity and human rights," in consultation with states, the WHO, UNPF, UNICEF the World Bank and other relevant stakeholders.

Source: The text of the resolution is available at-

[http://www.who.int/pmnch/topics/maternal/20090617\\_humanrightsresolution/en/index.html](http://www.who.int/pmnch/topics/maternal/20090617_humanrightsresolution/en/index.html)

## **INTERNATIONAL LEGAL DEVELOPMENTS**

### **European Court of Human Rights upholds state accountability for domestic violence**

In the case *Opuz v. Turkey*, the European Court of Human Rights held in June 2009 that by failing to prevent a woman's murder by her son-in-law, Turkey denied her "right to life", thus for the first time holding a state accountable for failing to prevent domestic violence. The case was brought by the victim's daughter, Nahide Opuz, who had told police that her mother's life was in danger. Turkey was ordered to pay her \$50,670 in damages and legal expenses. The case underlines the important responsibility on Government's to exercise 'due diligence' to protect rights – in other words, Governments must not only avoid breaching human rights but also take reasonable steps to prevent others from abusing rights so long as those steps are not too burdensome – such as steps to protect people from domestic violence or to prevent perpetrators from being violent.

Source: [http://www.impunitywatch.com/impunity\\_watch\\_europe/2009/06/by-nima-nayebiimpunity-watch-reporter-europestrasbourg-france---in--its-first-ruling-against-a-country-for-failing-to-p.html](http://www.impunitywatch.com/impunity_watch_europe/2009/06/by-nima-nayebiimpunity-watch-reporter-europestrasbourg-france---in--its-first-ruling-against-a-country-for-failing-to-p.html)

### **Egypt passes law on women's quota in parliament**

In June 2009, a law was passed in the Egyptian Parliament allocating 64 seats for women in the People's Assembly for two sessions. The law has come into existence after continued lobbying efforts by women's groups since 1995. However, women's groups are concerned about the law's application for only two parliamentary sessions. According to them, this fixed limit contradicts the aim of this quota, which is to be a tool for changing the attitudes of society. Two parliamentary sessions is not enough time to change the attitudes of a generation, and thus they are demanding that it should be extended to four parliamentary sessions.

Source: <http://www.awid.org/eng/Issues-and-Analysis/Issues-and-Analysis/Egypt-Women-on-Road-to-Parliament> & Egyptian Centre for Women's Rights (ECWR) Press Release dated 18 June 2009

### **Nepal Supreme Court orders government to enact comprehensive abortion law**

On 20 May 2009, Nepal's Supreme Court ordered the Nepal government to enact a comprehensive abortion law to guarantee that women have access to safe and affordable abortion services. Since 2002, Nepalese law has permitted abortion under most circumstances, but multiple barriers—including the government's failure to implement its own policy, prohibitive costs, and inadequate availability of abortion providers—have prevented women from accessing safe abortion services. Under the court ruling, the government must set up a fund to cover the cost of abortion for poor and rural women; and invest enough resources to meet the demand for abortion services and to educate the public and health service providers of the existing abortion law.

Source: <http://reproductiverights.org/en/press-room/court-orders-nepal-to-improve-women%E2%80%99s-access-to-abortion>

### **Bangladesh High Court sets out guidelines against sexual harassment**

On May 14, 2009 the High Court of Bangladesh defined and set out guidelines against sexual harassment at the workplace for the first time. The Court's decision defined sexual harassment to include both physical and verbal abuses and established guidelines to prevent sexual harassment in the workplace and in educational institutions. The guidelines in the ruling will serve as law until parliament implements permanent laws on sexual harassment. A HC bench set out the guidelines, directive and ruling in its verdict upon a writ petition filed as public interest litigation by Bangladesh National Woman Lawyers Association (BNWLA). In the first case to apply the High Court's ruling, four female students at Jahangirnagar University successfully used the guidelines to reverse the University's decision to expel the students after they complained of sexual harassment by a teacher. The High Court instructed the University to open a fresh investigation of the students' allegations.

Source:

[http://www.stopvaw.org/Bangladesh\\_Landmark\\_Ruling\\_Aims\\_to\\_Prevent\\_Sexual\\_Harassment\\_in\\_the\\_Workplace.html](http://www.stopvaw.org/Bangladesh_Landmark_Ruling_Aims_to_Prevent_Sexual_Harassment_in_the_Workplace.html)

### **U.S. Federal Court allows Dell Inc. to settle gender discrimination lawsuit by paying \$9.1 million**

In the case Hubley and Guenther v. Dell, 08-804, in the U.S. District Court, Western District of Texas (Austin), Dell Inc. (the second-largest maker of personal computers) agreed to settle the suit by paying \$9.1 million. The Court allowed this settlement on 24 July 2009. The lawsuit was filed by two former female employees who alleged that the firm “systematically denied equal employment opportunities to its female employees” in compensation and promotions, in training, in assignments of positions outside the U.S. and in programs designed to accelerate advancement. Dell has also agreed to hire an expert psychologist to review its employment practices and a labor economist who may recommend pay adjustments for female employees in some positions.

Source: <http://www.bloomberg.com/apps/news?pid=20601103&sid=aZtD.RbF.pjY>

### **Public protest leads to revision of marriage law in Afghanistan**

Afghanistan's government has revised a law that stirred an international outcry because it essentially legalized marital rape and various women's groups had taken to the streets in protest. The new version no longer requires a woman submit to sex with her husband. Two of the most controversial articles have been changed. An article that previously required a wife to submit to regular sex now requires her only to perform whatever household chores the couple agreed to when they married. The revised version makes no attempt to regulate sexual relations between husband and wife. A section that required a wife to ask her husband's permission to leave the house has also been deleted. In its place, an article states that a woman is the "owner of her property and can use her property without the permission of her husband." However, these changes still require parliamentary approval.

Source: [http://news.yahoo.com/s/ap/20090709/ap\\_on\\_re\\_as/as\\_afghan\\_marriage\\_law](http://news.yahoo.com/s/ap/20090709/ap_on_re_as/as_afghan_marriage_law)

### **Formalization of rules on sex change operations in China**

The Chinese Ministry of Health has proposed new guidelines covering sex change operations to ensure that all those who want surgery meet certain requirements. Those who apply for a sex change must be single, over 20 and have wanted the surgery for at least five years. The new rules aim to improve the oversight of sex change operations in China and ensure their safety. Those who want surgery must have openly lived and worked as a member of the opposite gender for at least two years. Moreover, they must have received psychological counselling for at least a year and have told their families about their wishes. China's public security bureau must also agree to change the person's sex on their identify documents.

Source: <http://news.bbc.co.uk/2/hi/asia-pacific/8104561.stm>

## **Pakistan Supreme Court orders equal benefits for transvestites**

The Pakistan Supreme Court has ordered that transvestites, being equal citizens of Pakistan, should also benefit from the federal and provincial governments' financial support schemes such as the Benazir Income Support Programme (BISP). A three-member bench ruled that 'They are citizens of Pakistan and enjoy the same protection guaranteed under Article four (rights of individuals to be dealt with in accordance of law) and Article nine (security of person) of the Constitution.' The bench had taken up the petition filed by Islamic jurist Dr Mohammad Aslam Khaki, who researched on the conditions of the transvestites seeking establishment of a commission to emancipate effeminate men ostracised by the society for no fault of theirs. The transvestites are one of the most oppressed and deprived segment of the society and subjected to humiliation and molestation left by the society to live by begging, dancing and prostitution.

Source: <http://www.dawn.com/wps/wcm/connect/dawn-content-library/dawn/news/pakistan/metropolitan/14-sc-orders-equal-benefits-for-transvestites-zj-02>

## **Marginal reform in honour killing law in Syria**

Following women's groups persistent demands to scrap the contentious law that decriminalised "honour" killings in Syria, the President replaced the law with a new one by a Presidential decree. This new law has replaced the existing maximum sentence of one year in jail with a minimum jail term of two years. It says that a man can still benefit from extenuating circumstances in crimes of passion or honour "provided he serves a prison term of no less than two years in the case of killing". The legislation covers any man who "unintentionally" kills his wife, sister, daughter or mother after catching her committing adultery or having unlawful sex. It also covers cases where the woman's lover is killed. Women's rights activists have given a cautious welcome to the change because the new law still invites men to murder women if they catch them having sex or suspect them of doing so.

Source: [http://news.bbc.co.uk/2/hi/middle\\_east/8130639.stm](http://news.bbc.co.uk/2/hi/middle_east/8130639.stm)

## **Updates on international trials on war crimes**

Earlier this year the UN tribunal on Cambodia began trial of leaders responsible for **Khmer Rouge atrocities** in the 1970s in which thousands were killed. In June 2009, one of the few survivors of the Khmer Rouge regime's notorious Tuol Sleng detention centre, Van Nath testified at the trial of the man who ran the prison, Comrade Duch. About 15,000 people were detained at Tuol Sleng in the late 1970s, but only seven are thought to have survived. Van Nath owed his survival to his skills as a painter. He was forced to produce portraits of Khmer Rouge leaders. Comrade Duch is accused of overseeing the torture and extermination of prisoners at the jail. Earlier in his trial, he has admitted responsibility for his role as governor of the jail, and begged forgiveness from his victims. However, he also insisted that he did not hold a senior role in the regime, and that he had had little choice but to work there. Four other former Khmer Rouge leaders are currently in detention at the court, and are expected to face trial in 2010.

The **Sudanese President** Omar al-Bashir who had been indicted over alleged atrocities in the **Darfur** region in March 2009, has won support from the African Union (AU). The AU leaders

have decided against cooperating with the International Criminal Court (ICC) because they see the ICC as an attempt by the West to interfere in their affairs. President Bashir has been indicted on two counts of war crimes - intentionally directing attacks on civilians and pillage - as well as five counts of crimes against humanity, including murder, rape and torture, related to the conflict. He however denies the allegations on the grounds that the state has a responsibility to fight rebels. Despite AU's disapproval, the Prosecutors at the International Criminal Court (ICC) have appealed against the judges' decision not to indict Sudan's president for genocide. The judges in March said there was insufficient evidence to support the three charges of genocide in Darfur.

The U.N. backed Special **Court for Sierra Leone** continued to hear testimonies against the former Liberian President Charles Taylor at The Hague. He has been charged for arming and commanding rebel forces in Sierra Leone to increase his influence in the diamond mining region. Taylor, the first African head of state to be tried by an international court, is charged with 11 counts of murder, torture, rape, sexual slavery and using child soldiers. His indictment holds him accountable for the rebels' barbaric methods, as they pillaged, killed, raped, used drug-crazed children as soldiers and hacked off limbs, ears or noses to subdue civilians. As many as 2,00,000 people died in the decade of fighting, and Taylor's war strategies are said to have affected many more in Liberia, but only crimes in Sierra Leone between 1996 and 2002 are within the mandate of the court. Witnesses have told stories of mind-boggling violence, even cannibalism. In July 2009, Charles Taylor testified in his own defence and pleaded not guilty, saying that the allegations against him are based on "disinformation, misinformation, lies, rumours."

Source: On Khmer Rouge - <http://news.bbc.co.uk/go/em/-/1/hi/world/asia-pacific/8123541.stm>;  
On Sudanese President – <http://news.bbc.co.uk/go/em/-/1/hi/world/africa/8133925.stm> &  
<http://news.bbc.co.uk/go/em/-/1/hi/world/africa/8138554.stm>; On the Sierra Leone trial -  
<http://www.hindu.com/2009/07/14/stories/2009071453081200.htm> &  
<http://www.guardian.co.uk/world/2009/jul/14/liberia-taylor-war-crimes-defence>

## **INTERNATIONAL NEWS**

### **Bangladesh gets its first woman police chief**

Bangladesh has appointed Hosne Ara Begum as the first woman chief of a police division. She started her career with the Bangladesh police in 1981 and has worked in many regions of Bangladesh, in different police jurisdictions and departments, including the Intelligence Branch of the Bangladesh police. Women first entered the country's police force in 1974. Then there were only 14, now there are 1,937, and among them 1,331 police constables.

Source: <http://www.asianews.it/index.php?l=en&art=15319&size=A>

### **Widows in Nepal protest against cash marriage incentive for men**

Widows in Nepal are protesting against a decision by the Nepalese government to offer a cash incentive to men for marrying them. The incentive was announced in the government's annual

budget earlier this week - it is a lump sum of 50,000 Nepali rupees. Nepal has a large number of widows because of the bloody conflict there in recent years as well as the high rates of HIV and other diseases found in the country. Women's groups have challenged the government's move to "empower widows through remarriage". They are instead urging the government to provide social security payments, health care and education to these women.

Source: [http://news.bbc.co.uk:80/2/hi/south\\_asia/8153193.stm](http://news.bbc.co.uk:80/2/hi/south_asia/8153193.stm)

## **NATIONAL**

### **NATIONAL LEGAL DEVELOPMENTS**

#### **IPC s.377 read down by Delhi High Court**

The beginning of the month of July marked a historic victory for queer rights activists, when the Delhi High court annulled the law that criminalizes adult homosexual relations, ending an eight year old legal battle for gay rights. Pronouncing the order in Naz Foundation (India) Trust v. Government of NCT, Delhi and Others, Writ Petition (Civil) No. 7455 of 2001, a division bench of Chief Justice A.P Shah and Justice S. Muralidhar said "We declare that Section 377 IPC, insofar it criminalizes consensual sexual acts of adults in private, is violative of Articles 21, 14 and 15 of the Constitution." Elaborating the reasons behind the order, Chief Justice A.P Shah said "If there is one constitutional tenet that can be said to be underlying theme of the Indian Constitution, it is that of 'inclusiveness'. This Court believes that the Indian Constitution reflects this value deeply ingrained in Indian society, nurtured over several generations. The inclusiveness that Indian society traditionally displayed, literally in every aspect, is manifest in recognizing a role in society for everyone. Those perceived by the majority as 'deviants' or 'different' are not on that score excluded or ostracized." The Court further affirmed, "In our view, Indian Constitutional law does not permit the statutory criminal law to be held captive by the popular misconception of the LGBTs are. It cannot be forgotten that discrimination is anti-thesis of equality and it is the recognition of equality that will foster the dignity of every individual."

Appeals challenging the above verdict have been filed in the Supreme Court of India. Without granting a stay of the verdict, the Supreme Court has granted eight weeks time to the Centre to file its response.

Source: Lawyers' Collective Press Release - <http://www.lawyerscollective.org/node/1004> & <http://www.hindu.com/2009/07/21/stories/2009072150170100.htm> . The full text of the 105 page judgement is available at: [http://news.bbc.co.uk/2/shared/bsp/hi/pdfs/02\\_07\\_09\\_india\\_gay.pdf](http://news.bbc.co.uk/2/shared/bsp/hi/pdfs/02_07_09_india_gay.pdf)

### **Binayak Sen granted bail by the Supreme Court**

On 25 May 2009, the Supreme Court granted bail to Dr. Binayak Sen who was languishing in Raipur jail for over two years under unproven charges of links with Maoists in Chhattisgarh. The court took just about a minute to grant him bail, and did not even listen to what the Chhattisgarh government had to say. Dr. Binayak Sen, the vice president of People's Union for Civil Liberties (PUCL) had been arrested under the draconian anti-terror law, Unlawful Activities Prevention Act. Dr. Sen's counsel had sought bail for him pleading that "the case against him has already been demolished in the trial court as all the material witnesses in the case have been examined" and none of them have deposed against him. It was contended that despite the case against him having been demolished, the Chhattisgarh High Court was not entertaining his bail plea.

Source: <http://timesofindia.indiatimes.com/NEWS/India/Civil-rights-activist-Binayak-Sen-gets-bail/articleshow/4574543.cms>

### **Concerns on the Equal Opportunities Commission Bill**

The President of India promised the constitution of an Equal Opportunity Commission during her address to the Parliament on 4 June 2009, in keeping with the recommendations of the Sachar Committee. An expert committee under Dr. Madhav Menon was constituted to consider the recommendations of the Sachar Committee. The Menon Committee Report (2008) proposed an Equal Opportunity Commission Bill to prohibit discrimination against 'deprived groups' defined on certain grounds such as sex, disability, religion, caste, language etc. Also, the Amitabh Kundu Committee Report (2008) recommended the constitution of a Diversity Commission to oversee the incentivisation of diversity in education institutions, employment establishments and housing societies. The proposed 'diversity index' is sensitive to religion, caste and sex. In an important open letter to the Minister for Minority Affairs, the National Law School of India University urges the Ministry to initiate larger public debate on the issue before the Bill is introduced in the parliament. This letter also includes annexures of various similar legislations from the US, UK, EU, Canada and South Africa.

Source: <http://www.nls.ac.in/csse/additional%20resources.htm>

## **NATIONAL NEWS**

### **Meira Kumar elected as the first Dalit woman Lok Sabha Speaker**

On 3 June 2009, the Indian parliament elected its first woman speaker, who is also a member of the Dalit community. Meira Kumar was elected unopposed by the 543 member 15th Lok Sabha which includes 59 women MPs. She is a five-term MP who was a career diplomat before she entered politics in 1985. The motion to elect Kumar was moved by Congress party Chief Sonia Gandhi and seconded by opposition leader L.K. Advani from the Hindu nationalist Bharatiya Janta Party.

Source: [http://www.channelnewsasia.com/stories/afp\\_asiapacific/view/433556/1/.html](http://www.channelnewsasia.com/stories/afp_asiapacific/view/433556/1/.html)

### **Indira Jaising becomes the first woman Additional-Solicitor General**

Noted Supreme Court lawyer and human rights activist, Indira Jaising earned the distinction of being the first woman Additional Solicitor General of India, in fact the first woman to become a law officer in the country's highest court. On her appointment she said, "Being the first woman to be appointed additional solicitor general in the Supreme Court, I feel a special duty to explain my own reasons for accepting the post. To begin with, the posts have been a male bastion and there is no doubt that this appointment crosses that barrier and the post will now cease to be considered as reserved for men alone. It is in this context I am sure the appointment will send an electrifying signal to women lawyers all over the country, to aspire to the highest law offices."

Source: <http://news.rediff.com/column/2009/jul/06/indira-jaising-on-judicial-reforms-an-idea-whose-time-has-come.htm>

### **Condemnable 'virginity tests' in Madhya Pradesh**

In a condemnable manner 'virginity tests' were conducted on more than 150 would-be brides before a government sponsored mass wedding under the 'Mukhyamantri Kanyadan Yojna' in Madhya Pradesh. The would-be brides were mostly from poor tribal families. The National Commission for Women (NCW) took *suo motu* cognizance of the matter and sought an interim report from the MP government. It also formed a committee to look into the matter. The issue was also raised in the Parliament by non-BJP parties whereas the BJP Chief Minister of MP was in denial mode who maintained what was carried out was "procedural medical examination." The NCW declared the MP government interim report as "unsatisfactory" and decided to send a five-member team of the Commission led by NCW member Yasmin Abrar including a lawyer and a member of the Madhya Pradesh Women's Commission, to the State to study the execution of the scheme. The NCW later concluded that while the tests may not have taken place, the women were nonetheless, subjected to "indecent exposure" where they were examined downwards from their abdomen, causing immense humiliation.

Source: <http://www.indianexpress.com/news/MP-virginity-test-row--NCW-says-women-faced-indecent-exposure/492416> & <http://www.hindu.com/2009/07/14/stories/2009071460591100.htm>

## **NEW RESOURCES**

### **"India Human Rights Report 2009" - Asian Centre for Human Rights**

Asian Centre for Human Rights released the "India Human Rights Report 2009" covering human rights situations in 27 States of India during 2008 on 29 May 2009. The report highlights factors like - State failure to address discrimination and exclusion, State failure to address human rights violations including torture and extrajudicial executions by the security forces and apathy amongst the main political parties. The full report is available at:

<http://www.achrweb.org/reports/india/AR09/AR2009.pdf>

### **“Connecting Rights to Reality: A Progressive Framework of Core Legal Protections for women's Property Rights” (ICRW)**

The International Centre for Research on Women (ICRW) recently launched an internet resource titled 'Connecting Rights to Reality: A Progressive Framework of Core Legal Protections for women's Property Rights'. It is a database of relevant laws in 102 countries: 51 across the different regions of Africa, 30 from Asia (including the Caucasus region), and 21 from Latin America and the Caribbean. Details can be accessed at: <http://www.icrw.org/docs/property-rights/2007-connecting-rights-to-reality.pdf>

### **World Survey on the Role of Women in Development (2009)**

The World Survey on the Role of Women in Development is the flagship publication of the United Nations Division for the Advancement of Women which is presented to the General Assembly at five-yearly intervals. The theme for the World Survey in 2009 is “Women’s control over economic resources and access to financial resources, including microfinance”. The preparation of the publication for this year is ongoing. Further details can be accessed at: <http://www.un.org/womenwatch/daw/ws2009/index.html#state1>

### **“This Alien Legacy: The Origins of "Sodomy" Laws in British Colonialism” (HRW) in Hindi**

Following the progressive Delhi High Court judgement on IPC s.377, the Human Rights Watch (HRW) launched the Hindi translation of its 2008 report titled “This Alien Legacy” describes how laws in over three dozen countries, from India to Uganda and from Nigeria to Papua New Guinea, derive from a single law on homosexual conduct that British colonial rulers imposed on India in 1860. The new Hindi version and the original English version are both available for download at: <http://www.hrw.org/en/reports/2008/12/17/alien-legacy-0>

## **EVENTS**

### **National Conference on the Prevention of Torture Bill, 2008 (24-25 June 2009)**

Asian Centre for Human Rights organized a National Conference on the Prevention of Torture Bill, 2008 on 24 and 25 June at New Delhi. The Consultation highlighted the fact that though India is a signatory to the UN Convention against Torture, it has still not ratified it. The Consultation came out with “Conclusions and Recommendations of the National Conference on the Prevention of Torture Bill, 2008”. One of the most important recommendations being, “The Prevention of Torture Bill should include a provision reiterating absolute prohibition of torture”.

### **Eighth National Convention of the National Federation of Dalit Women (26 June 2009)**

The National Federation of Dalit Women (NFDW) organized their Eighth National Convention on the 26th June 2009 at New Delhi. The NFDW National Conventions are a forum

to articulate the emancipatory agenda of Dalits and Dalit Women's Movement. This convention focused on the Dalit Women's daily struggle to survive a persistent poverty, violence and powerlessness that plagues their lives.

### **Queer Pride Parades in Indian cities (28 June 2009)**

On 28 June 2009, queer pride parades were held in many Indian cities including Delhi, Chennai, Kolkata and Bengaluru. LGBTI people, friends and supporters joined in the celebrations in large numbers raising slogans, singing, dancing and waving the symbolic "rainbow flags". At the time of the pride parade, the historic Delhi High Court judgement on s.377 was not out. The marchers at the parades raised slogans protesting against the draconian law and demanding its scrapping. PLD was a part of the Delhi Queer Pride Parade.

### **National Seminar on Scheme for Relief and Rehabilitation of Victims of Rape (25 July 2009)**

National Commission for women (NCW), New Delhi had organized a one day Seminar to discuss the revised proposed scheme on relief and rehabilitation of victims of rape on 2 July 2009 at New Delhi. The Seminar was attended by NCW and State Commission members, State Government officials, high rank police officers and NGOs. In the Seminar the scheme was briefly introduced and recommendations were sought from those present. The scheme has severe limitations, beginning with an unclear conceptual framework. There is a need for women's organizations to have a discussion on the proposed scheme and give out joint recommendations to NCW. The link to the scheme is <http://ncw.nic.in/schemeforrehabilitation.pdf>

### **CEDAW Capacity Building Trainings (July 2009)**

PLD organised state level CEDAW capacity building trainings in Orissa and Bihar. The training in Orissa was held from 17th July-19th July, 2009 in Bhawanipatna, locally supported by FARR, Kalahandi and LASK, Orissa. The training in Bihar was held from 31st July- 2nd August, 2009 at Patna, with the local support of Koshish charitable trust.

## **FORTHCOMING EVENTS**

### **South Asia Inter-Governmental Peer Learning Convening on CEDAW (26-28 August 2009)**

An inter-governmental peer learning training for senior bureaucrats from the SAARC nations on CEDAW Reporting and Implementation at Kathmandu, Nepal during 26-28 August 2009, by the Government of Nepal and UNIFEM. PLD is providing technical support to this event.