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Updates from the UN

UN Special Rapporteur on Violence Against Women reports on Afghanistan

The UN Special Rapporteur on VAW, Ms. Rashida Manjoo, concluded her 9 day mission to Afghanistan. Her mandate was to gather information on violence against women in the country, its causes and consequences, and to make recommendations on measures to combat it. In her concluding statement, Ms. Manjoo noted the positive legislative and institutional changes after the fall of the Taliban government, but observed that '*violence against woman continues to be a source of deep concern*' in the country, both within the public and private realms.

Violence within the private sphere includes the violence perpetrated by husbands and other relatives, 'honour' crimes, incest, practices such as *baad* (where girls are exchanged to resolve disputes) and *baadal* (exchange marriages), and self-inflicted harm due to domestic violence. She also took note of violence within the public realm through rape, sexual harassment at the workplace and targeted killings of women.

Her statement reiterated Afghanistan's commitment to international human rights instruments that enshrine gender equality, such as CEDAW, and emphasized increased accountability of institutions to redress VAW.

Source: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15289&LangID=E>

Read the full statement here:

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15284&LangID=E>

CEDAW releases GR No.32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women

The CEDAW released its General Recommendation No.32 to address the rights of women seeking asylum/refugee status. General Recommendations are a means by which the Committee invites more attention of States to specific issues affecting women.

This Recommendation analyses Art.14, Universal Declaration on Human Rights, on the gender dimensions of the right to asylum, building on its earlier General Recommendations, including No.19 (on violence against women), No.26 (on women migrant workers), No.28 (on the core obligations of States parties under Art.2 of the CEDAW) and No.30 (on women in conflict prevention, conflict and post-conflict situations). It comments that gender must be factored at every stage in the asylum-seeking process.

The Committee continues the application of the CEDAW to read other human rights documents such as the UDHR, since the mandate of the CEDAW is to promote equality and non-discrimination between men and women, even in rights that are not explicitly covered therein. Therefore, it recommends States to add a sixth ground for persecution entitling refugee status beyond the five in the 1951 Refugee Convention, of sex and/or gender, and to further read the other five grounds in a gender-sensitive manner. This includes not only policies and practices that directly discriminate against women, but also those that have a disproportionate impact on women. FGM, forced/early marriage, trafficking, 'honour' crimes, acid attacks, sexual violence, domestic violence, political/religious persecution for holding feminist views are expressly mentioned as practices that might entitle a woman to asylum. It also specifies that women should

be granted a derivative refugee status in case they are fleeing to prevent persecution of their children, such as in the case of FGM. Pertinently, the CEDAW re-iterates the obligation of due-diligence of States, such that persecution by non-state actors is also accounted for in asylum/refugee status.

Read the full text of the General Recommendation here:

<http://www.equalrightstrust.org/ertdocumentbank/CEDAW%20GR%2032.pdf>

UN General Assembly adopts draft resolution calling for a moratorium on the death penalty

The draft resolution approved by the General Assembly Third Committee on ‘Moratorium on the use of death penalty’ was put to vote in the General Assembly at its 65th session, where it received 117 votes in favour, 37 against and 34 abstentions (in the GA Third Committee, the draft resolution received 114 votes in favour, 36 against and 34 abstentions). India was one of the countries which voted against the moratorium. The explanation to the vote stated that the moratorium was motivated with the view to completely abolishing the death penalty.

Source: <http://www.amnesty.org/en/news/un-vote-boosts-support-global-moratorium-death-penalty-2014-11-21>;
<http://www.rediff.com/news/report/india-votes-against-unga-resolution-on-death-penalty/20141125.htm>

UN member states in Asia-Pacific adopt declaration on gender equality and women’s empowerment at the Beijing +20 conference

The Asian and Pacific Conference on Gender Equality and Women’s Empowerment: Beijing +20, to review the progress made since the Beijing Declaration in 1995, map current challenges and future course of action, was held in Bangkok by ESCAP and UN Women. The Conference was attended by 52 UN member states and 1888 civil society organizations. The Conference also passed the ‘Asian and Pacific Ministerial Declaration on Advancing Gender Equality and Women’s Empowerment’, which will contribute to the global review of the Beijing Declaration in 2015.

While the Ministerial Declaration was passed unanimously, the final draft was a diluted version of the norms initially set out. Refusing to name specific intersecting vulnerabilities that exacerbate gender discrimination in the region, India objected to the use of the words ‘caste’, ‘sexual orientation and gender identity’ and ‘conflict’ in the draft, restoring instead to terms such as ‘social origin’, ‘men and women in their diversity’ and ‘armed conflict’. Furthermore, the initial proposal to protect sexual rights of women was diluted to protect only their reproductive rights.

Read the full text of the Report here: <http://www.unescap.org/resources/report-asian-and-pacific-conference-gender-equality-and-womens-empowerment-beijing20>

Sources: <http://www.unescap.org/events/asian-and-pacific-conference-gender-equality-and-womens-empowerment-beijing20-review>;

<http://m.thehindu.com/news/national/india-denies-caste-as-factor-of-gender-inequality/article6612210.ece/>;

<http://www.thehindu.com/todays-paper/tp-national/asiapacific-declaration-ignores-sexual-rights-of-women/article6619779.ece>

UN General Assembly adopts historic resolution against child, early and forced marriages

The United Nations General Assembly at its 69th Session adopted a landmark resolution to ban child/forced/early marriages. The Resolution was led by Zambia and Canada and was supported by 116 member states. This is the first time that the United Nations has accepted substantive recommendations on the issue of child marriages, which severely impact the health, education and security rights of 15 million girls globally every year. This comes in the aftermath of the Resolutions of the General Assembly and the Human Rights Council in 2013, which were procedural in nature calling for more information and consideration of the issue.

Even though India has more than one-third of all child brides in the world, India did not vote in favour of the Resolution. It had also not voted in favour of the Resolution in 2013.

Source: <http://iwhc.org/2014/11/united-nations-adopts-progressive-resolution-child-marriage/>

Read the full text of the Resolution here:

http://www.who.int/pmnch/media/events/2014/child_marriage.pdf?ua=1

International Developments

Asia

Bangladesh Parliament Approves Law Restricting NGO Freedom

The Bangladesh cabinet gave its final approval to the draft “Foreign Donations (Voluntary Activities) Regulation Bill, 2014” that would impose draconian restrictions on non-governmental organizations. The new law mandates compulsory registration with the NGO Affairs Bureau for all NGO’s receiving foreign funds. It establishes a set of harsh restrictions for NGOs, which would go far beyond what is permissible under international law regulating the right to freedom of association. The right of NGOs to freedom of association is a fundamental and universal right enshrined in numerous international treaties and standards, especially Article 22 of the International Covenant on Civil and Political Rights (ICCPR), which Bangladesh has ratified.

According to the law, NGOs will have to maintain a separate bank account for receiving foreign donations and will have to inform the NGO Affairs Bureau about the source of funds and its purpose to get approval of the bureau. Also, NGOs will be registered for a period of 10 years instead of five years and registration can be cancelled anytime for violation of the regulation.

Source: <http://www.omct.org/human-rightsdefenders/statements/bangladesh/2014/12/d22942/>

Malaysian Court of Appeal quashes cross-dressing ban in the country

In a landmark decision the Malaysian Court of Appeal gave transgender Muslims the right to cross dress overturning an Islamic law banning cross-dressing. The decision came after a suit was filed by transgender women in Malaysia who challenged section 66 of the Sharia law in Negeri Sembilan state, which prohibits “any male person who in any public place wears a woman’s attire or poses as a woman.”

The Court of Appeal said the law against cross dressing by Muslim men contravened the country's constitution and deprives them of the right to live with dignity. It ruled that the law has the effect of denying the appellants and other sufferers of GID [Gender Identity Disorder] to move freely in public places and is degrading, oppressive and inhuman. Despite use of problematic terms like GID that pathologise rather than affirm gender variance, the ruling is a significant victory for human rights in Malaysia since transgender people are subjected to constant harassment and sexual abuse by the authorities under the aegis of the law.

Source: <http://www.bbc.com/news/world-asia-29947393>
<http://www.hrw.org/news/2014/11/07/malaysia-court-victory-transgender-rights>

Chinese Court rules against gay conversion clinic

In the first ruling of its kind in China, a Beijing court ruled in favour of victim of 'conversion therapy' stating such treatments to be illegal. The decision came after a suit was filed against a clinic claiming to cure homosexuality through a series of treatments involving hypnosis and electric shocks. The court while awarding compensation held that such treatments are inhumane and cruel.

Though homosexuality was decriminalised in China in 1997 and removed from a list of mental illnesses in 2001, same-sex marriages and domestic partnerships remain forbidden under the law. The decision has been lauded as a milestone in the advancement and protection of gay rights.

Source: <http://www.independent.co.uk/news/world/asia/chinese-man-wins-compensation-from-clinic-that-gave-him-gay-conversion-electric-shock-therapy-9937456.html>

South-east Asian countries adopt Bangkok Declaration on Extra-Territorial Human Rights Obligations

A round table conference attended by south-east Asian countries and civil society organisations resulted in the adoption of the "[Bangkok Declaration on Extraterritorial Human Rights Obligations](#)".

The Declaration affirms the urgent need to advance the implementation of extra territorial obligations given the accelerating pace of economic, political, and social integration in the south-east Asian region and the corresponding increase in cross-border human rights violations.

The declaration can be assessed
http://www.etoconsortium.org/nc/en/library/documents/detail/?tx_drblob_pi1%5BdownloadUid%5D=121

New anti homosexuality bill introduced in Uganda

After the Ugandan Constitutional Court held the anti same-sex law to be unconstitutional in August last year, another anti same-sex legislation, on the same lines, has been drawn up and set to be introduced in the Parliament.

The Bill, known as the Prohibition of Promotion of Unnatural Sexual Practices Bill, focuses on outlawing the 'promotion' of homosexuality, with a proposed sentence of up to 7 years. This bill, unlike the previous Act, would have a more repressing and wide-reaching impact. In case the bill is passed, it is anticipated that funding for LGBTIQ rights groups in Uganda might be affected. The Bill further criminalises any person who 'leases or subleases, uses or allows to be used any premises for the purpose of engaging in unnatural sexual practices'. In essence, this allows for the possibility that many homosexuals in Uganda be banished to homelessness because landlords will be reluctant to rent out their houses to people who they suspect are gay.

Source: <http://www.aljazeera.com/news/africa/2014/11/new-anti-gay-bill-drawn-up-uganda-20141120123219934655.html>
<http://www.bbc.com/news/world-africa-29994678>

Op-ed: http://www.huffingtonpost.com/udoka-okafor/the-new-antigay-bill-prop_b_6236390.html?ir=India

US Federal Court overturns lower court's decision, upholds ban on same-sex marriage

The 6th Circuit Court of Appeals, Ohio, has upheld the right of four states- Kentucky, Michigan, Ohio and Tennessee to ban same-sex marriage and overturned the lower court ruling. This decision, in fact, contradicts rulings by four similar courts.

The Supreme Court, in June 2013, ruled that the Defense of Marriage Act violates the constitutional rights to due process and protection under the law of the LGBTI. Since then, federal districts courts and appellate judges have interpreted the same to mean that it would be unconstitutional for states to deny same-sex couples the right to marry.

With this decision of the federal court, it is being anticipated that the Supreme Court will take up the issue sooner rather than later for clarification.

Source: http://www.nytimes.com/2014/11/07/us/appeals-court-upholds-same-sex-marriage-ban.html?_r=1
<http://america.aljazeera.com/articles/2014/11/6/federal-appeals-courtupholdsgaymarriagebans.html>
<http://www.theguardian.com/us-news/2014/nov/06/us-appeals-court-gay-marriage-bans-ohio-michigan-kentucky-tennessee>

High Court in Botswana permits LGBT group to register their organisation

In a groundbreaking judgement, the Gaborone High Court, Botswana, held that members of a LGBT group could formally register their organisation. The decision came after the Department of Labour and Home Affairs refused to register the organisation Lesbians, Gays and Bisexuals of Botswana. 20 individuals filed a petition before the High Court on the ground that the refusal to register their organisation violated their constitutional rights, including their rights to freedom of association, freedom of expression, and equal protection of the law.

The Court held that freedom of association, assembly and expression are important values of society, and that the ‘enjoyment of such rights can only be limited where such limitation is reasonably justifiable in a democracy.’

With same-sex conduct illegal in 38 African countries, LGBT organisations have been refused registration on the ground that they promote illegal activities. Effectively, this violates LGBT people’s constitutional and human rights.

The judgement can be accessed <http://www.scribd.com/doc/246583723/Legabibo-Judgement>
Source: <http://www.southernafrialitigationcentre.org/2014/11/14/press-release-astounding-victory-as-botswana-high-court-asserts-right-of-lesbians-and-gays-to-register-their-own-organisation/>
<http://www.hrw.org/node/130589>

European Court of Justice bans tests to ‘prove’ homosexuality when applying for asylum

The European Court of Justice, in a much awaited judgement, has banned tests, of any kind, being conducted for people claiming refugee status in EU countries on the ground of sexuality. The ruling follows the case of three men, who sought asylum on the basis of fear of persecution in their home countries owing to their being homosexual. However, the Dutch court, which argued that they had failed to prove their sexuality, denied them asylum.

The Court observed that authorities must follow the EU law and respect the fundamental human rights. The Court further observed that even if proposed by the asylum applicant, evidence of homosexual acts obtained through tests infringed human dignity. Allowing such evidence could result in it becoming a requirement. The ruling stresses that while interviewing an asylum seeker to find out about their sexual orientation, questions could not be asked about their sexual practice.

Source: <http://rt.com/news/210875-eu-court-asylum-gay/>
<http://www.soginews.com/eu-ruling-gets-applaus-lgbti-rights-activists/>

Same-Sex Marriage Bill passed in Scotland

The Scottish Parliament has passed a bill allowing for same-sex marriages. The bill, known as the Marriage and Civil Partnership (Scotland) Bill, was passed by an overwhelming majority.

The Bill is considered to be one of the most progressive equal marriage laws in the world. Though Scotland allows same-sex couples currently have the option to enter into civil partnerships, but the Marriage and Civil Partnership Bill was brought forward as an important step for equality.

Source: <http://www.bbc.com/news/uk-scotland-scotland-politics-25960225>
<http://www.equality-network.org/equal-marriage-legal-in-scotland/>

National

Judgments/ Orders

Madras High Court rules against discrimination between married son and daughter for compassionate employment

The Madras High Court has held that for the purpose of granting compassionate employment to the son/daughter of a deceased government employee, there can be no discrimination between a married son and a married daughter. The Court held such discrimination on grounds of marriage as arbitrary and violative of Articles 14, 15 and 16 of the Constitution.

The judgment was delivered pursuant to a petition filed by a married daughter of a deceased government employee through which she appealed against an order denying her employment on compassionate grounds as she was not a divorcee at the time of her father's death.

You can read the judgment http://judis.nic.in/judis_chennai/qrydisp.aspx?filename=205790

Delhi Court holds that sex work does not undermine the right of a woman to bodily integrity, while convicting for gang rape

A Special Court in Delhi has awarded 10 years RI to four persons for the gang-rape of a Rwandan national engaged in sex-work. The Court emphasized that the nature of the survivor's work does not confer to the accused the right to violate her in any manner.

While invoking S.114A, Indian Evidence Act, the Court correctly placed the burden of proving consent upon the accused, instead of putting the ordeal of proving non-consent upon the survivor. In rejecting the contention of the accused that the survivor's profession is sufficient to prove consent, the Court correctly took rape outside the patriarchal mores of chastity and virtue, and places it in the domain of dignity and bodily integrity of a woman.

The Court also made use of its powers under S.357 of the CrPC to impose a fine on the accused towards compensating the survivor, bringing the survivor closer to justice and rehabilitation post the incident.

Source: <http://www.dnaindia.com/india/report-being-a-sex-worker-doesn-t-confer-right-to-violate-her-says-delhi-court-2034468>

Supreme Court rules against trade union's ban against women from working as 'make-up artists' in the film industry

The Supreme Court has established the writ of the Constitution in the Indian film industry, by holding the practice of prohibiting women from working as 'make-up artists' to be unconstitutional and discriminatory against women. The Court was hearing the petition after the Cine Costume Make-up Artists and Hair Dressers Association (CCMAA) disallowed the applications by some women to be made make up artists.

The Court held that the clause in the by-laws of the CCMAA prohibiting women from working as make-up artists was also in contravention of Section 21 of the Trade Unions Act which stipulates that 'any person who has attained the age of 15 may be a member of a registered trade union..'. The Court ordered the CCMAA to amend its by-laws by removing the impugned clause.

You can read the judgment <http://supremecourtindia.nic.in/outtoday/wc7813C.pdf>

Source:<http://indianexpress.com/article/india/india-others/sc-says-women-can-be-make-up-artists/>

Karnataka High Court rules in favour of unmarried major Muslim daughter from her parents

The Karnataka High Court has held that an unmarried daughter of Muslim parents is entitled to maintenance from her parents even after attaining the age of majority, if the parents are capable of maintaining her. The ruling was on a petition filed by an unmarried, major Muslim woman 'incapable of maintaining herself' for maintenance from her father.

Interestingly, the Court observed that 'an infringement of a legal right of a person recognized under any law for the time being in force which is enforceable in the Court of law amounts to causing of injury to that person'. The Court interpreted 'mental injury' in Section 125 CrPC to include "infringement of the right to claim maintenance of that lady".

You can read the judgement

<http://judgmenthck.kar.nic.in/judgmentsdsp/bitstream/123456789/34867/1/CRLP693-14-18-12-2014.pdf>

Supreme Court commutes death sentence of convict on grounds of 'inordinate delay'

The Supreme Court commuted the death sentence of a convict, as the delay of 3 years and 10 months in dealing with his mercy petition was held to come within the ambit of the expression 'inordinate delay'. Earlier, in the landmark case of *Shatrughan Chauhan v. UoI*, it was held that an inordinate delay in dealing with mercy petition of a death row convict would be sufficient cause for him to move the Court under Article 32 of the Constitution, and get his sentence commuted to life imprisonment.

Further, the Court held that keeping the petitioner on death row in solitary confinement in terms of Section 30 (2), Prison Act, until his mercy petition was finally disposed off was a "complete transgression of the right under Article 21 of the Constitution". The Court held that the term 'under sentence of death' in the Prisons Act would only apply after the mercy petition had been disposed of, and not when the death sentence was first awarded.

However, the Court held that it was the 'combined effect of the inordinate delay in dealing with the Mercy Petition and the solitary confinement for such a long period' that warranted the commutation in the present case. This observation, though well intentioned, might inadvertently lead to diluting the ratio in *Shatrughan Chauhan*, wherein it was held that inordinate delay in itself was sufficient ground for commutation.

You can read the judgement <http://judis.nic.in/supremecourt/imgs1.aspx?filename=42193>

News

NCW registers increase in number of sexual harassment at the work place cases

The Minister of Women and Child Development in a written reply to a question in Parliament has stated that the number of cases of sexual harassment at the workplace registered with the NCW had increased significantly in the year of 2014. While noting the increasing trend of cases of sexual harassment being registered, the Minister informed that upto 12th December, 2014, 336 complaints had been registered with the NCW. In 2013, 249 such complaints were registered and in 2012, the number was 167.

The increase in the number of complaints coincides with the enactment of the Sexual Harassment at the Workplace Act, providing a legislative framework for dealing with cases of sexual harassment at work.

Source: <http://timesofindia.indiatimes.com/india/Sexual-harassment-plaints-with-NCW-double-in-2-yrs/articleshow/45579951.cms>

Supreme Court sets up Social Justice Bench

The Supreme Court has set up a 'Social Justice Bench' to deal with all matters pertaining to 'social justice' that come before it. The Bench is to sit every Friday at 2:00 pm and will exclusively hear matters of 'social justice'.

According to a note released in the Supreme Court website, some of the issues that come under 'social justice' are "the release of food grains lying in stocks in drought affected areas, to take steps to prevent untimely death of women and children for want of nutritious food, providing mid day meals, providing night shelters to the destitute and the homeless " among other issues.

While it is interesting that the Apex Court considers it necessary to have a specialized bench to deal with 'social justice' issues, it is still not clear how it will expedite the delivery of justice in such matters. Considering the fact that the Bench is to sit for half a day every week, it is important that it should not preclude other benches of the Supreme Court from dealing with 'social justice' issues.

You can read the note released by the Supreme Court
<http://supremecourtindia.nic.in/outtoday/Social%20Justice%20Bench.pdf>

Source: <http://indianexpress.com/article/india/india-others/supreme-court-sets-up-social-justice-bench-to-deal-with-social-issues/>

Delhi Police data reveals higher prevalence of sexual violence within familiar spaces

The Delhi Police has in an affidavit filed before the High Court revealed that in almost nine out of ten cases of rape, the accused is known to the victim. As per the data in the affidavit, less than five percent of the total of 1704 rape cases reported in Delhi till October 2015 were committed by total strangers. In 241 of the total cases, the accused were close relatives, and in 430 cases, the accused were neighbours or family friends.

The data only reiterated the need to go beyond understanding rape and sexual violence as a form of violence perpetrated by unknown strangers in open spaces, and to look at the nature of sexual violence as it plays out within the families and intimate spaces.

Source: <http://indianexpress.com/article/cities/delhi/9-out-of-10-rapists-are-known-to-victims-delhi-police/>

National Credit Fund scheme for women to be re-structured

The Ministry of Women and Child Development has announced that the Rashtriya Mahila Kosh, or the National Credit Fund scheme for women is to be restructured and reconstituted. The scheme will now aim to assist women in different ways including training, marketing and financial assistance. The fund scheme is now being restructured as a bank which will not provide loans to Self Help Groups but instead seek to train individual women.

However, this step has been criticized by activists who assert that the Self Help Groups have gotten loans from nationalized banks under the scheme to empower rural women through small time agriculture, handicrafts manufacture and other local schemes.

Source: http://articles.economictimes.indiatimes.com/2014-12-03/news/56684829_1_maneka-gandhi-rashtriya-mahila-kosh-financial-assistance

http://articles.economictimes.indiatimes.com/2014-12-12/news/56990519_1_rural-women-poor-women-karnataka

One Stop Crisis Centres project for victims of crimes against women to be discontinued

The Prime Minister's Office has, according to news reports, decided to not go ahead with establishing One Stop Crisis Centres for victims of rape and sexual violence. The Ministry of Women and Child Development, which was in charge of establishing the Centres, had proposed to establish such centres in each district in the country. The Prime Minister's Office however was opposed to the idea as it saw it as necessary as the services could be provided through existing infrastructure like hospitals and police stations.

Earlier, in August, one such centre had been opened in Sanjay Gandhi hospital in Delhi. Interestingly, the Delhi High Court has in a recent order directed the state legal services authority

to convene a meeting of stakeholders to find the scope of establishing One Stop Crisis Centres for victims of crimes against women in Delhi.

Source:<http://timesofindia.indiatimes.com/india/Post-Nirbhaya-crisis-centres-get-PMO-boot/articleshow/45313487.cms>
http://www.business-standard.com/article/news-ians/convene-meeting-to-set-up-one-stop-crisis-centre-hc-to-dslsa-115010701305_1.html

Op-Ed: http://peoplesdemocracy.in/2014/1207_pd/aidwa-opposes-closure-crisis-centre-project

RESOURCES

‘Women’s Right to Equality- The Promise of CEDAW’ - UN Women

This paper on the concept of equality is a resource primarily for the ASEAN Inter Governmental Human Rights Commission (AIHRC), and aims to provide guidance as a resource tool to the AIHRC in its purpose of engaging ASEAN governments in using international standards for the protection and promotion of the human rights of women and children in furthering the fulfilment of their obligations under the CEDAW. The paper traces the history of gender in the experience of human rights, and elaborates on the concepts of formal and substantive equality as enshrined in the CEDAW.

The report can be accessed <http://cedawsouthasia.org/wp-content/uploads/2010/12/The-Promise-of-CEDAW-final-pdf.pdf>

‘Ending Statelessness within Ten Years: A Special Report’ - UNHRC

The UNHCR released a special report on “ending statelessness within 10 years” wherein it recognizes statelessness as a widely existing phenomenon which is also a denial of fundamental human rights. Considering that over ten million stateless people live in just 10 countries, and that over a third of the world’s stateless people are children, the report highlights the fact that people living in a stateless situation are denied legal identity, right to vote, education, medical care, security and even a space to live with dignity. 27 countries deny women the right to pass their nationality to their children unlike men, which suggests that statelessness interlinked of discrimination based on gender. The UN agency seeks to end statelessness by 2024.

Source:http://unhcr.org/statelesscampaign2014/Stateless-Report_eng_final3.pdf

‘Reproductive Rights are Human Rights: A Handbook for National Human Rights Institutions’ - UNFPA, OHCHR and the Danish Institute for Human Rights

The UNFPA, OHCHR and the Danish Institute for Human Rights have released a handbook to provide NHRIs guidance on how to integrate reproductive rights into their work. It recognizes reproductive rights as a human right of all men and women. The handbook emphasizes that reproductive rights should be an area where NHRIs take charge, help set the public agenda, and

assist the state in fulfilling its responsibilities in a participatory, empowering and sustainable manner.

You can access the handbook <http://www.ohchr.org/Documents/Publications/NHRIHandbook.pdf>

‘Women’s Rights are Human Rights’: UNHRC

This document was published in commemoration of 20 years of the Beijing Platform for Action by UNHRC. The document provides an introduction to women’s human rights, beginning with the main provisions in international human rights law and then going on to explain relevant concepts for fully understanding women’s human rights. This document draws upon and explains several provisions of international law, resolutions, treaties, and national laws aimed at eliminating discrimination against women.

You can read the report:

<http://www.ohchr.org/Documents/Events/WHRD/WomenRightsAreHR.pdf>

‘Witch Hunting in Assam: Individual, Structural and Legal Dimensions’: PLD, AMSS and NEN

PLD in collaboration with Assam Mahila Samta Society (AMSS) and North East Network (NEN) has released a study report on witch hunting in Assam. The report draws its findings from 16 case studies of victims in two districts of Assam, as well as police records. The report highlights the continuum of violations connected with witch hunting, as well as gaps in law and justice in terms of lack of police action as well as lack of preventive and reparative measures. The report documents the lives of victims and presents data which marks major trends and findings of witch hunting in Assam.

Limited copies available on request at resources@pldindia.org

Posters on Sexual Harassment at the Workplace: PLD

PLD has developed two sets of posters, both in Hindi and English, on sexual harassment of women at the workplace. The first addresses common myths and corresponding facts relating to workplace harassment and the law. The second provides a brief overview of the content of the legislation, and answers common questions such as what is sexual harassment and what can be done for its redress. These are written in simple language to make them accessible even to persons without a legal background and are attractive in their appearance.

You can view the posters <http://pldindia.org/our-posters/>

OBITUARY

Justice Krishna Iyer passes away

Justice Krishna Iyer, a former Supreme Court judge and a veritable champion of social justice and human rights, passed away at the age of 100. Justice Iyer, with Justice Bhagwati, changed the discursive foundations of human rights litigation in India by introducing Public Interest Litigation, which relaxed locus standi requirements in matters of social justice, and gave much currency to the epistolary jurisdiction of the Supreme Court. He decided landmark judgments such as *Maneka Gandhi v. Union of India*, *Municipal Corporation, Ratlam v. Vardhichand*, *Fertilizer Corporation Kamgar Union v. Union of India*, *Prem Shankar Shukla v. Delhi Administration*, which continue to be relevant pronouncements on human rights and on environmental law. Justice Iyer was also a pioneer of prison reforms, initiating the process of inducting human rights and rule of law within prisons through his judgment in *Sunil Batra v. Delhi Administration*. He was also an outspoken critic of the death penalty.

Jasodhara Bagchi, pioneering scholar and feminist passes away

Jasodhara Bagchi, the founder-director of the School of Women's Studies in Jadavpur University has passed away. A pioneering scholar in her field, she initiated the Bengali Women Writers Reprint series edited by the School of Women's Studies in Jadavpur. Apart from being a scholar, she was a deeply committed activist and champion of the women's movement. She is the founder of Sachetana, a feminist organization in Kolkata, and has also served as the Chairperson of the West Bengal State Women's Commission from 2001 to 2008.

Read more- <http://www.thehindu.com/news/national/other-states/jasodhara-bagchi-is-no-more/article6772882.ece>