



BI-MONTHLY LEGAL NEWS

Vol. No. 8(V) September-October 2015

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UN Updates

UN adopts Sustainable Development Goals to replace the Millennium Development Goals

The United Nations adopted 17 Sustainable Development Goals (SDGs) for the next 15 years, to replace the Millennium Development Goals (MDGs) adopted in 2000. The SDGs seek to end poverty, protect the planet and ensure inclusive development, through its 17 goals, each of which have defined targets to be met by 2030.

Unlike the MDGs, the SDGs recognise poverty as a consequence of systemic marginalization. Therefore, they target sustainable development, by combating climate change, sustainable use of natural resources and protection and preservation of forests, seas and oceans. They also seek to end poverty, achieve gender equality and empowerment, inclusive development for all, access to justice, education and employment for all.

The SDGs have been criticised for being too vague and aspirational. Despite the content of the SDGs being closely linked to human rights, there is a clear absence of human rights-based strategies for their implementation. This undermines the ability of civil society and citizens to demand transparency and accountability from state institutions, undermining the efficacy of the goals.

The Resolution on the 2030 Agenda for Sustainable Development (SDGs) can be accessed [here](#).

A list of the SDGs can be found [here](#).

A critique of the SDGs can be found [here](#).

UN and regional experts urge states to renew their commitments to sexual and reproductive rights of women in the SDGs

Leading up to the adoption of the SDGs, UN and regional experts called upon states to renew their commitment and ensure the full enjoyment of rights to sexual and reproductive health and rights. The experts related the goals of eliminating inequality and discrimination, and ensuring universal access to healthcare, to the critical rights of women to reproductive and sexual health, and access services to ensure their enjoyment.

The joint statement can be accessed [here](#).

Twelve UN agencies issue joint call to action on ending violence and discrimination against LGBTI

Twelve UN agencies, including the ILO, UN OHCHR, UNDP, UNESCO, UN Women, WHO, among others, issued an unprecedented statement calling on states to protect the rights of LGBTI individuals and end violence and discrimination against them. The statement underlined that a failure to uphold the human rights of LGBTI individuals will seriously impact the ability of states to meet the SDGs. Violence and discriminatory laws and practices against LGBTI render them vulnerable to ill health including HIV, cause social and economic exclusion, increase the strain on families and communities, and harm economic growth.

Accordingly, the statement calls upon states to protect LGBTI individuals from violence, repeal discriminatory laws and affirmatively protect them from discrimination. It reiterates that the primary responsibility to protect and promote the human rights of individuals lies with the states.

The joint statement can be accessed [here](#).

Source: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16511&LangID=E>

Human Rights Council appoints Karima Bennoune Special Rapporteur in the field of Cultural Rights

The Human Rights Council appointed Karima Bennoune as the Special Rapporteur in the field of cultural rights. Bennoune is a professor of international law at the University of California–Davis School of Law. She is a leading authority on women’s rights to culture and freedom of religion, and on countering extremism and fundamentalism. She is the author of the ground-breaking book *Your Fatwa Does Not Apply Here: Untold Stories from the Fight Against Muslim Fundamentalism*, which canvases the diversity of cultural practices in Islam, and mobilisation within cultures that resist fundamentalism. Previously, Bennoune has been a consultant on human rights issues for several international human rights NGOs, including Amnesty International, the International Council on Human Rights Policy, and for the United Nations Educational, Scientific and Cultural Organization (UNESCO).

Source: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16562&LangID=E>

Dubravka Simonovic appointed as UN Special Rapporteur on violence against women, its causes and consequences

Dubravka Simonovic has been appointed as United Nations Special Rapporteur on Violence against Women, its causes and consequences, replacing Rashida Manjoo. Simonovic has previously served as an expert on the UN CEDAW Committee, and was later its chairperson in 2007-08. She has contributed to the drafting of the Council of Europe Convention on preventing and combating violence against women and domestic violence as chair of the Council of Europe Task Force and as co-chairperson of the Committee which drafted the Convention.

Source: <http://www.ohchr.org/EN/HRBodies/SP/Pages/HRC29.aspx>

UN Special Rapporteur on the rights of persons with disabilities presents first report to the UN General Assembly

The UN Special Rapporteur on the rights of persons with disabilities, Catalina Devandas Aguilar, presented her first report at the seventieth session of the UN General Assembly, on the right to social protection. The report emphasised the need for states to build a more inclusive social protection system for persons with disabilities. This requires a move away from medical approaches to disability, which views persons with disabilities as incapable of studying, working or living independently and thereby locks them into a cycle of dependence and poverty. The report calls for a shift to models that uphold their autonomy and independence.

States must therefore extend their access to social protection without discrimination, and offer benefits that promote autonomy and independence.

The Report can be accessed [here](#).

Source: <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=16667&LangID=E>

Global Study on the implementation of UN Security Council Resolution 1325 on Women, Peace and Security released

The Global Study on Resolution 1325, commissioned by the Secretary-General of the United Nations and led by independent expert Radhika Coomaraswamy, was recently released, to inform the upcoming High Level Review of the resolution by the Security Council. Resolution 1325 was passed by the Security Council in 2000, on Women, Peace and Security, which linked women's experience of conflict to the global security agenda for the first time. The Global Study reviews developments relating the implementation of the resolution over the past fifteen years, and makes recommendations on the way forward. The Study notes that the nature of conflict in certain regions is quantitatively different, thus the meaning of peace, security and justice must dynamically reflect these experiences. In the time period under review, the different experiences of conflict, not reflected at the normative level, have posed major dilemmas in the implementation of the resolution, especially in relation to prevention, protection, participation and peacebuilding & recovery. Significantly, the Report underlies that women's qualitative participation in peace and security-building has a direct, positive impact on conflict resolution and peace-building.

The Global Study can be accessed [here](#).

Source: <http://www.unwomen.org/en/news/stories/2015/10/media-advisory-1325-new-global-study>

International Developments

Asia

Nepal adopts new Constitution but restricts citizenship rights of women

After seven years of setbacks and drafts, Nepal formally adopted the final version of its first democratic Constitution in September. The new Constitution has been a welcome development for many lawmakers and citizens. The Constitution envisages Nepal as a secular republic and guarantees equal property rights to men and women. It has also introduced a proportional electoral system at the federal and state levels. This has evoked protests from the Madhesi community for not been given adequate representation proportional to their population.

However, the Constitution severely limits the citizenship rights of Nepali women. It does not allow single women to confer citizenship rights to their children. While a Nepali man may confer citizenship to his child if his wife is a foreign national, the same rule does not apply to Nepali women. Despite having ratified the UN's Convention for the Elimination of All Forms of Discrimination against Women, the new Constitution has highlighted the lack of gender equality in Nepal for many women.

Source: <http://recordnepal.com/perspective/women-have-no-nationality#sthash.oPquHzjZ.dpufNepal>

Malaysian court overturns landmark trans* rights ruling

Malaysia's highest court overturned a prior ruling that declared a discriminatory transgender law unconstitutional, thereby re-instating it as law. The November 2014 ruling by the Putrajaya Court of Appeal reviewed Section 66 of the Sharia law, that prohibited men from "posing" as women and declared that the law violated the Malaysia Federal Constitution

[*PLD Newsletter Vol. No. 7(VI) November-December 2014*]. The Federal Court overturned the decision and denied review. The ruling comes against the backdrop of mounting criticisms against Malaysia over its LGBT rights record and is a huge set back in the effort to end discrimination against transgender individuals in Malaysia including arbitrary arrests of transgender women. Earlier during the year, the Federal Court had upheld former Deputy Prime Minister Anwar Ibrahim's conviction under Malaysia's anti-sodomy law.

Source: <http://www.washingtonblade.com/2015/10/08/malaysia-high-court-overturns-landmark-trans-rights-ruling/#sthash.p8ucidRy.dpuf>

OCHCR submits report on promoting reconciliation, accountability and human rights in Sri Lanka

Pursuant to Human Rights Council resolution 25/1, Office of the United Nations High Commissioner for Human Rights submitted its report on the findings of the comprehensive investigation on alleged serious violations and abuses of human rights and related crimes in Sri Lanka. The report identifies systemic patterns of violations of international human rights and humanitarian law that occurred during the period of armed conflict in Sri Lanka. It also reviews human rights related developments in the country since March 2014, in particular the reforms and steps towards accountability and reconciliation by the new President elected in January 2015 and Government in August 2015. The findings suggest that torture and sexual violence was inflicted on both male and female detainees, by Sri Lankan security forces and paramilitary groups associated with them, particularly in the immediate aftermath of the armed conflict. The report finds total failure of domestic mechanisms to credibly investigate, establish the truth, ensure accountability and provide redress to victims of these violations and abuses. It also lists recommendations to the government of Sri Lanka and to the United Nations system and the member states. It recommends establishment of a hybrid special court to try war crimes and crimes against humanity allegedly committed by all parties to the armed conflict and emphasises on the obligation of United Nations to continue to monitor human rights developments and progress towards accountability and reconciliation through the Human Rights Council.

The report of the OHCHR can be accessed [here](#).

Beyond Asia

Uganda debates NGO Bill restricting freedom of association

The Ugandan Parliament is currently debating The Non-Governmental Organization Bill, 2015 to increase control and regulation over NGOs. The move comes after several NGOs demanded electoral reforms leading up to the general elections next year, and is one of a string of measures introduced by the current Ugandan government to limit freedom of association. The Bill prohibits NGOs from engaging in '*any activity contrary to the dignity of the people of Uganda*'. Phrased this widely and ambiguously, NGOs working on democratic rights, oil, land ownership, corruption and LGBT rights are set to receive a huge setback in their operations. Other provision includes jail sentence to the directors if their NGO decides to operate without a permit.

This Bill comes close on the heels of the Constitutional Court decision striking down a legislation outlawing the operation of NGOs working on the rights of LGBT individuals in Uganda [*PLD Newsletter Vol. 7 (IV) July-Aug 2014*].

The Bill can be accessed [here](#).

Statement on the Bill by Human Rights Watch can be accessed [here](#).

Source: <http://www.theguardian.com/global-development-professionals-network/2015/sep/01/ngo-alert-ugandan-parliament-debates-controversial-ngo-bill>
<http://www.buzzfeed.com/lesterfeder/ugandas-parliament-to-take-up-bill-that-could-re-criminalize#.mplWQJ3Jk>

Pope Francis changes process of annulment of marriages

Pope Francis has announced significant revisions to the marriage annulment process, which was previously cumbersome and lengthy. Earlier, the procedure for annulment of marriages required a couple seeking an annulment to be confirmed by a church tribunal and further, a second confirming decision. The revision now allows local bishops to expedite the annulment process for Catholic Churches in straightforward cases such as discovery of extramarital relationship in a marriage, where a spouse has procured an abortion, or where one of the party lacks religious faith. The revision also makes the annulment process free of charge. Although these revisions are the most radical to the annulment process in centuries, the Catholic Church maintains its stance in its teachings that marriages are permanent.

Source: <https://www.washingtonpost.com/news/acts-of-faith/wp/2015/09/08/pope-francis-is-reforming-the-catholic-churchs-marriage-annulment-process/>
<http://www.theguardian.com/world/2015/sep/08/pope-radically-reforms-catholic-churchs-marriage-annulment-process>

El Salvador enhances penalties for Hate Crimes

In light of increased violence against LGBT individuals in El Salvador, the Legislature approved amendments to the Criminal Code imposing enhanced penalties for hate crimes based on sexual orientation and gender identity. The amendments include Article 129 which imposes jail term of 30-60 years to a person who is convicted of killing someone and Article 155 which imposes jail term of 3-6 years to a person who is convicted of threatening a person based on their sexual orientation, race, ethnicity, political affiliation or gender.

Source: <http://www.washingtonblade.com/2015/09/09/el-salvador-lawmakers-approve-enhanced-hate-crime-penalties/>
<http://www.pgaction.org/news/salvadoran-pga-members-reform-penal-code.html>

Gender Accordance Act vetoed by the Polish President

The Gender Accordance Act has been vetoed by the Polish President Andrzej Duda, which had earlier been passed by the lower chamber of the Polish senate [*PLD Newsletter Vol. 8 (IV) July-Aug 2015*]. It allowed persons to choose their own gender as a matter of choice and self-identification, and dispensed with the requirement of medical interventions, hormone therapies or surgeries in order to complete gender recognition process.

The legislation, prepared over a period of three years by various Parliamentarians and civil society members, challenges the rights of trans* persons to equality and dignity. The veto by the President can now be overturned with only a 3/5 Parliament majority.

Source: <http://www.pinknews.co.uk/2015/10/06/the-polish-president-just-shattered-the-hopes-of-trans-people-in-his-country/>
<http://www.gaystarnews.com/article/polish-president-vetoes-gender-accordance-laws/>
<https://agendaurope.wordpress.com/2015/10/07/poland-president-vetoes-controversial-gender-re-definition-bill/>

Inter-American Commission of Human Rights hears first ever case of discrimination and abuse against LGBT persons in detention

The Inter-American Commission of Human Rights, the human rights arm of the Organization of American States, hosted its first ever thematic hearing on discrimination and abuse of LGBT persons in detention in Latin America. The thematic hearing was brought forth by the Association for the Prevention of Torture (ATP) and a coalition of three other human rights organizations. The petitioners cited several instances of excessive use of force by prison officers, physical, emotional and sexual violence, denial of conjugal visitations etc.

The petition also brought attention to the practice of segregation followed by some countries, wherein LGBT persons are housed in different detention centres, often in worse conditions, than the general population. It argued that states are ill-equipped to address the needs of LGBT detainees, and to provide protections from violence

Source: <http://www.hrc.org/blog/entry/inter-american-commission-of-human-rights-hosts-first-hearing-on-rights-of>
http://www.aptr.ch/content/files_res/iachr-hearing-lgbt_press-release.pdf

National Developments

National judgments

Bombay High Court strikes down circular preventing pre-litigation mediation/counselling in domestic violence cases

The Bombay High Court, in the case of *Dr. Jaya Sagade v. State of Maharashtra*, has set aside a State Government circular that prohibited pre-litigation counseling and mediation in domestic violence cases. The Court ruled that the circular is “*discriminatory, arbitrary and unreasonable*”, and set aside directions prohibiting women from approaching service providers for counselling under the Protection of Women from Domestic Violence Act, 2005. The Court while dismissing the State’s contention that the function of service providers is limited to the services enumerated in Section 10 of the Act, ruled that such an interpretation would result in reading a socially beneficial legislation without having regard to its objective.

The Court also laid down guidelines for counselling/mediation under the Act which include, *inter alia*, informing a victim of domestic violence of her right to choice of future course of legal action, not putting any pressure on such a victim to settle her claim/grievance, and commencing joint counselling/mediation only with the voluntary and informed consent of the woman.

Citation: *Dr. Jaya Sagade v. State of Maharashtra*, PIL No. 104 of 2015, Bom HC
The judgment can be accessed [here](#).

Kerala High Court declares rule prohibiting women from serving liquor unconstitutional

The Kerala High Court declared unconstitutional the new Rule 27A and condition 9A under the head Conditions in Forms FL 3 introduced *via* amendment of the Kerala Foreign Liquor Rules dated 9-12-2013. These rules prohibit women from being employed “in any capacity for serving liquor on the licensed premises”. The Court ruled that the said Rule falls foul of the Constitutional scheme of gender equality as has been spelt out in Articles 14, 15 (1) & (2)

and 16 (1) & (2) of the Constitution of India as it deprives a woman of employment solely on the ground of her gender. The Court relied on Anuj Garg v. Hotel Assn. of India, (2008) 3 SCC 1, where Supreme Court declared Section 30 of the Punjab Excise Act, 1914 which prohibited employment of women in any premises in which public consume liquor or intoxicating drug as unconstitutional.

Citation: Dhanyamol & Ors. V. State of Kerala W.P.(C) 3450 of 2015, Ker HC

Source: <http://blog.scconline.com/post/2015/09/11/rule-prohibiting-women-to-serve-liquor-in-licensed-hotels-declared-unconstitutional/>

Delhi High Court directs trial courts to take all measures to ensure the true testimony of child witnesses

The Delhi High Court, in the case of Ankush Kumar v. State, directed all trial courts to adopt all reasonable precautions to ensure that victims of child sexual abuse are able to present a true testimony free from fear and intimidation. The Court held that trial courts must provide the atmosphere and circumstances necessary to ward off pressure from the accused, including the parents, in bringing truth before the Court. The judgment recognised that the impact of child sexual abuse is profound because of the sheer frequency with which it occurs and because of the trauma brought to the lives of the children who have experienced this crime. Stating thus, the Court directed all trial courts to ensure that the child witnesses be examined in special court room meant for it and provide all the precautions available to the child victims under the Prevention of Children from Sexual Offences Act, 2012. However, the Court did not lay down any guidelines for such procedure to define what such 'reasonable precautions' could be.

Citation: Ankush Kumar v. State CRL.MC. 4046 of 2015, Del HC

The judgment can be accessed [here](#).

Delhi High Court rules against discrimination on the basis of gender and sexuality

In the case of Shivani Bhat v. NCT of Delhi, the Delhi High Court ruled that gender identity and sexual orientation are fundamental to the right of self-determination, dignity and freedom of individuals. The case concerned a transgender man who is a citizen of India but a resident of the United States of America. On his visit to India with his parents, his passport and green card were confiscated by his family and he was forced to remain in Agra in confinement.

This judgment is important as the Supreme Court has previously, in the case of Suresh Kumar Koushal v. Naz Foundation and Others, refused to declare Sec. 377 of the Indian Penal Code, which criminalises homosexuality, as unconstitutional. However, in this case, the court relied on another pathbreaking judgment of the Supreme Court in NALSA v. Union of India, which recognised the constitutional rights and freedoms of transgender persons, including those who identify as third gender.

Citation: Shivani Bhat v. State of NCT of Delhi WP. CrI. 2133/2015, Del HC

The judgment can be accessed [here](#).

Supreme Court stays law banning dance bars in Maharashtra with conditions

The Supreme Court recently granted an interim stay on the ban on dance bars in Maharashtra under S.33 (A) (1) of Maharashtra Police (second amendment) Act. The ban was first imposed in 2005 for dance bars in hotels below the three-star category, vide the Maharashtra Police (Amendment) Act, 2005. This was struck down by the Bombay High Court in 2006

for violating the right of bar dancers to freedom of trade and profession under Art. 19(1)(g), and for creating an arbitrary distinction between hotels under Art.14. This verdict was later upheld by the Supreme Court in 2013. Thereafter, the Maharashtra government re-introduced the ban by extending it to all hotels across all categories. This has been stayed for the moment by the Supreme Court, pending final hearings in November. The Court, however, added a rider that the Maharashtra police will have to ensure that dignity of women was not affected by the dance performances and that the licensing authority will also regulate indecent dance performances.

Women's rights activists had protested against the ban on dance performances in bars as it threatened the livelihood of the performers in the name of morality and culture.

Citation: Indian Hotel & Restaurant Association v. State of Maharashtra, 2015 SCC OnLine SC 952

The judgment can be accessed [here](#).

Supreme Court limits inheritance rights of daughters under Hindu Succession Act

The Supreme Court recently ruled that the 2005 amendment in Hindu Succession (Amendment) Act, 2005 will not give property rights to a daughter if her father died before the amendment came into force. The court held that the amended provisions of the Act could not have retrospective effect despite it being a social legislation, so that partitions that have already taken place are not disturbed. The court said the father would have had to be alive on September 9, 2005 for the daughter to become a co-sharer with her male siblings.

This judgment gains relevance as it adds a restriction to the Amendment Act, which sought to bring about equality by making daughters as co-parceners in ancestral property. Before this pronouncement by the Supreme Court, the only restriction to inheritance by daughters was if the concerned property was alienated or partitioned before December 20 2004 (date of introduction of the Bill), as stated in the proviso to Sec. 6(1) of the Amendment Act. However, in the present case, the Supreme Court added another restriction, i.e, life/death of the father, a criterion that was not present in the Amendment Act. Thus, according to the Amendment Act, in cases where the father was dead but the partition had not taken place before the 20th of December 2004, daughters were still eligible to receive a share of the property. In the present judgment, the Supreme Court has gone against the express provisions of the statute and imposed an additional criterion, which has resulted in depriving daughters of a right that they were otherwise entitled to under the law.

Citation: Prakash & ors. v. Phulawati & ors. CA. No. 7217 of 2013, SC.

Source: <http://www.livelaw.in/law-on-equal-right-for-daughters-over-property-is-prospective-sc/>

National news

Central Government announce changes in surrogacy laws

The Central Government has announced significant changes in the Artificial Reproductive Technologies Bill (ART Bill). It limits access of surrogacy services only to heterosexual married couples who are unable to reproduce naturally. They must be Indian citizens, Non-Resident Indians, Persons of Indian Origin and Overseas Citizens of India. Foreign nationals who are not married to an Indian citizen will not be eligible. On the other hand, the proposed changes will permit single women also to become surrogate mothers, where earlier only

married women were allowed with the consent of their husbands. These changes may conflict with other laws, such as the Guidelines governing the adoption of children passed in 2011 under the Juvenile Justice Act, which permit foreign nationals, whether single or married, to adopt children from India.

In the current form the Bill fails to address either of the concern of profound vulnerability of the surrogate and her family. The Draft bill does not elaborate on the kind and extent of insurance that will be provided, particularly in the context of post delivery and follow-up care. Also, counselling remains a one-time information giving process completely dependent on the discretion of the clinic. The value of her gestational motherhood is denied, and weight is given to the commissioning parents as owners of the genetic material. This negation of the potential of a humane relationship between the two mothers and their families that can generate an open environment around surrogacy reflects the fears of a patriarchal society and its inability to address new challenges with a new vision.

Source: <http://www.thehindu.com/opinion/op-ed/ending-discrimination-in-surrogacy-laws/article5970609.ece>
<http://www.ibnlive.com/news/india/government-to-change-surrogacy-laws-single-women-can-become-surrogate-mother-23-years-to-be-minimum-age-1152348.html>

Central government proposes comprehensive law on human trafficking

In response to the PIL filed by a Hyderabad-based NGO, Prajwala, on the issue of trafficking of girls, the Central Government informed the Supreme Court that it intends to introduce a new comprehensive law on human trafficking, instead of amending existing laws. At the moment, amendments proposed in Immoral Traffic (Prevention) Act and the Protection of Children against Sexual Offences (POCSO) do not deal with any other form of exploitation apart from sexual exploitation. The Ministry of Women and Child Development will also set up a standing committee having representatives from various ministries and some NGOs to prepare a plan of action covering amendments to laws, mechanism to control trafficking and other issues discussed.

The National Legal Services Authority has also submitted recommendations to the Supreme Court on the issue. This defines ‘sexual exploitation’ broadly, which disregards the choice and free will of several sex workers entering the profession. Accordingly, ‘rescue’ procedures suggested under the report do not account for the consent of women who are sought to be ‘rescued’. The report recognizes inter-generational prostitution i.e., traditional or community based prostitution also as exploitation. These recommendations conflate the term trafficking with specific acts or forms of sexual expression as sexual exploitation.

Source: <http://timesofindia.indiatimes.com/india/Centre-bats-for-new-comprehensive-law-on-human-trafficking/articleshow/49342579.cms>

Supreme Court launches portal of the National Judicial Data Grid

The Supreme Court has launched the public access portal of the National Judicial Data Grid district courts in order to provide information about the judicial process to the public. This portal will contain information about the rates of pendency of cases in local courts. The portal was launched with an objective to encourage litigants and the public to watch the pendency graphs as well as to suggest solutions against delayed justice. The NJDG has already accumulated half of the total data related to pending cases in district courts. The NJDG will update information related to monthly disposal of cases on national, state, district level.

Source: <http://www.thehindu.com/todays-paper/tp-national/sc-launches-portal-on-pendency-of-cases/article7669308.ece>

Injectable contraceptives to be used for family planning programme

The Drug Technical Advisory Board's proposal for introduction and use of the injectable contraceptives for women in the family planning programme was accepted by the Health Ministry. The Drug Technical Advisory Board of Drug Controller General of India in its meeting had recommended that India should provide the option of Deoxy medroxy progesterone acetate (DMPA) in its National Family Planning Programme (NFPP) to increase the choice of contraceptives for women. The drug called DMPA has a female hormone prevents egg from being released from the ovary. It prevents pregnancy for three months. The cost of making this drug available is still being worked out.

The move disregards research by health professionals which brings to light significant side-effects of the drug, such as irregular periods or no periods at all, loss of bone mineral density and worsening of depression etc. Women who are administered the drug require constant care and monitoring by a physician. Although, the drug has been in the Indian market for a couple of decades but it is rarely used and prescribed by the doctors in the private sector because their patients may hold them accountable due to its side-effects. At the same time some doctors in the public sector promote the drug because they say it is more suitable for poor women, who are often the target of discriminatory and invasive population control policies.

Source: <http://indianexpress.com/article/india/india-others/health-gives-nod-to-use-of-injectable-contraceptives/#sthash.nniVnMhC.dpuf>
<http://theladiesfinger.com/why-does-indias-public-health-system-want-to-use-scary-injections-for-birth-control-in-women/>

Resources

UN OHCHR launches a series of practical guides for civil society

The UN Office of the High Commissioner of Human Rights recently launched a series of practical guides for civil society actors to provide an overview of the functioning and mechanisms of the United Nations and the ways in which they can contribute and benefit from it. Till date the OCHCR has published 6 practical guides in the series. Recently, two guides have been released namely "*Civil Society Spaces and the United Nations Human Rights System*" and "*How to follow up on United Nations Human Rights Recommendations*". These two guides addresses the issues related to the work of the civil society actors and to help them understand that how they can follow up and implement the United Nations Human Rights recommendation.

The Practical Guide on Civil Society Space and the United Nations Human Rights System can be accessed [here](#).

The Practical Guide to Follow Up on United Nations Human Rights Recommendations can be accessed [here](#).

Source: <http://www.ohchr.org/EN/AboutUs/Pages/CivilSociety.aspx>

Geneva Centre for the Democratic Control of Armed Forces publishes handbook on Gender and Complaints Mechanisms

The Geneva Centre for the Democratic Control of Armed Forces (DCAF) has published a handbook titled ‘Gender and Complaints Mechanisms’ for the armed forces and Ombuds institutions to prevent and respond to gender-related discrimination, harassment, bullying and abuse. The Handbook surveys different mechanisms within various armed forces for the prevention of misconduct, and handling and monitoring of complaints. The handbook brings attention to the ideas of masculinity which have shaped military culture. The power dynamics that play out consciously and unconsciously often given rise to sexual discrimination, abuse and harassment on the basis of sexual orientation or gender identity, bullying which ridicules a person’s masculine or feminine identity. Therefore, it is understood that higher representation of gender diversity, new policies, staff roles, education and training is needed to change these cultures. The repoer also talks about the way in which the mutually complementary complaints mechanism (i.e., prevention of misconduct, response and monitoring) can be sensitive to gender and can support the full participation of women in armed forces. It says that the military should have an internal and external monitoring mechanism that will look into the ongoing progress of gender equality in the workplace, handle the gender related complaints and learn from them the issues and problems.

The Handbook can be accessed [here](#).

Gender Issue guides published by UN Habitat

UN Habitat, United Nations programme on urban and human settlement development, has recently published two guides on “Gender responsive Risk Reduction and Rehabilitation” and “Gender responsive Urban Legislation, Land and Governance” as part of its series on gender guides on urban planning and programmes. The first guide identifies that women face increased vulnerabilities in disaster risk management owing to their gender and poverty, which also translates to reduced access to disaster relief. It outlines the need and mechanisms for gender responsive interventions in future actions for Disaster Risks Reduction. The second guide sheds light on the gendered nature of the urbanization process, which creates discrimination due to gender insensitive legislation, unequal distribution of land, lack of recognition of the claims of women on these lands, as well as lack of representation of women in the governance. It also outlines the need for, and mechanisms by which urban planning and land distribution can respond to the vulnerabilities of women.

Source: <http://unhabitat.org/books/gender-responsive-risk-reduction-and-rehabilitation/>
<http://unhabitat.org/books/gender-responsive-urban-legislation-land-and-governance/>

Obituary

Human Rights Activist Ossie Fernandes passes away

Ossie Fernandes, a noted Human Rights activist passed away at the age of 58. Ossie worked tirelessly for the human rights campaign relating to housing and land rights, child labour and environmental issues. Fernandes was the founder-director of the Chennai-based Human Rights Advocacy and Research Foundation, Co-convener of Coastal Action Network, Campaign Against Sex Selective Abortion and Tamil Nadu Right to Information Campaign and State Representative for Right to Education of National Commission for Protection of Child Rights. Ossie contributed immensely to the use of legal tools to empower the powerless through the human rights discourse.

Feminist and queer activist Priya Thangarajah passes away

Priyadarshini Thangarajah, well-known queer feminist scholar and activist passed away on 4th November 2015. An alumnus of National Law School of India University, Bangalore, Priya was a Fulbright scholar at Georgetown University, where she completed her Masters in law. Priya had worked extensively on issues relating to gender, sexuality, violence and human rights with various organizations in South Asia, such as the Law and Society Trust in Colombo, Human Rights Alert in Manipur and Alternative Law Forum in Bangalore. She also prosecuted extra-judicial killings of humanitarian workers in Sri Lanka.