

**Written Submission for the Session (30 June – 18 July 2014)
Input to the 4th and 5th India report on CEDAW**

**Full Name of the NGO: Indraprastha Public Affairs Centre (IPAC) and Sathi All for Partnership
on behalf of Alliance on Violence against Women in India**

State Party under Consideration: India (on 2nd July 2014)

Note: The submission can be posted on CEDAW website for public information purposes

Sent to: cedaw@ohchr.org

Article 1

Government of India has passed laws to address violence against women in India and set up complaint mechanisms at national and federal level. However women's role in protecting local resources and their due share has not been the focus of reparations. Women face discrimination due to gender resource gap and this is compounded by the extractive industries impunity to profit from local resources while not developing local employability and safety. Mechanisms to address the gender resource gap needs local area development plan designed to alter gender roles through organising care services and green enterprises by women owned and managed agencies. The district gender plans are mentioned in policy which needs mechanism for local level application through gender equality projects. Designated spaces and budgets for women in groups will make visible equal gender resource planning. This planning should be made mandatory for both public and private business and environment regeneration ventures. Towards this gender resource gap for each area can be calculated to set aside amount of resources that are to be invested in gender equal plans.

Questions

1. What measures have been taken by MOSPI to compute gender resource differentials?
2. How does the government plan to reduce resource gap between women and men. Are measures for rural women different from urban women?
3. How many elected leaders have proposed gender equal planning of their constituencies?
4. How will the government deal with differential socio – economic hierarchy in its projects and schemes at local levels such that excluded like the Dalit women be at par with non Dalit women in terms of resource base?
5. What measures does the government plan to take to stringently implement the Forest Rights Act and PESA which ensure individual and community rights over natural resources to Adivasi/Tribal communities in India? More specifically how does the state plan to ensure that women in these communities are empowered and mobilized to control and utilize these resources for sustainable livelihoods?
6. What laws are in place to ensure that rich corporations do not circumvent the mentioned rights of the adivasi women and what laws ensure that gender justice and protection is provided to women activists mobilizing against these corporations against such violations?

Article 2 & 3

Women continue to be depicted in traditional stereotypical roles in the television in different popular programmes. Roles as submissive and adaptive wives, girlfriends and followers of rituals and religious practices are the key genre in popular soaps like BallikaVadhu and such others. No effort has been taken by the Broadcasting Association of the Government to examine these issues and rectify them. Most of these are regressive and women who are assertive, independent and able to exercise their opinions are largely showcased as “vamp” and enemies of other women in the family. There is a deliberate effort to project the ‘meek, submissive, adaptive and compromising wifhood’ as a cultural construct. This is mainly because these channels are private and focus more on earnings and TRP ratings than on achievement of social change. This has proved retrogressive for the women’s rights movement as electronic media has a powerful influence on people especially the youth. It is recommended that a gender regulatory framework is established for all forms of media to ensure gender audits and gender just portrayals of women.

Questions:

1. What are the measures that the state has taken to examine contents of media programmes for gender just portrayals?
2. How does the state plan to utilise electronic and other media to promote women’s issues and steps that the state is taking to ensure gender justice.
3. In what ways is the state promoting women’s participation in the workforce of the electronic and other media businesses?
4. What measures has the state taken to regulate the various work conditions for women in the media?

Article 7 (c)

Women in India have the right to form NGOs and organise for their rights, however there is an increasing backlash of violence and repression that women activists face when they mobilise and demand their rights. Despite a separate Women’s Commission and a National Women’s Empowerment Mission, the key to empowerment with regard to mobilisation does not form the core component of the work of the state. The financial allocations for such programmes are limited and also the target oriented approaches limit the reach of the programmes to most marginalised communities. The freedom of expression and mobilisation can only be achieved through alternate institutions like NGOs and CBOs. The government however has devised stringent mechanisms to monitor funding to NGOs in the name of national security. As a result with resource crunch several active and strong women’s organisations are unable to raise resources for their programmes.

Questions

1. What mechanism does the state plan to set up to ensure that gender audits are undertaken for TV shows, programmes and commercials?
2. Does the state have an independent panel of reviewers belonging to all genders, caste, minority and region which can play a proactive role in ensuring quality gender equal programmes?
3. How does the state plan to ensure accountability and gender just operation of private TV channels?

Article 11

There has been an overall fall in the employment rate of women from the period 2004-05 (NSSO 61st round) to 2009-10 (NSSO 66th round)¹. There is an increasing informalisation of work a phenomenon due to privatization of most jobs. Besides with outsourcing of work from the organised sector to unorganised sector, women can be found at the last ends of the supply chain working with least or no social security measures and in extremely exploitative conditions. The state policies for health and education are increasingly being targeted at women sourcing them as cheap labour often as voluntary workers. Examples can be drawn from Government Programmes like ICDS and NRHM where at the village and ward levels women work as ASHA, Anganwadi workers and the Auxillary Nurses². Of these the former two are essentially employed as voluntary workers and paid an honorarium. As women the roles are gendered and also invisible. The burden of looking after the health, nutrition and education of children of entire villages are shared between the three women³. The honorariums are low and they are not entitled to maternity leave since they are not part of organised sector work. Work expectations are high and require travel and engagement with families across several villages. The double burden of work on with hardly any compensation results in low motivation. ASHA's get only incentivized payments for institutional deliveries only. This devalues the extensive work that such women in these programmes are required to do within and outside the home. These programmes continue the patriarchal gendered roles of these women and with increasing burden of work they are unable to find time to increase their chances of better education, work and wages.

Priority is being given by the state to programmes for generating income for women rather than also empowering them. There have been several success stories of the MahilaSamakhya and the Kudumashree programme, which focus on women's mobilisation and empowerment and these need to be the way forward rather than just the Self Help Group programmes for micro finance only.

Questions

1. What are the measures taken by the Government to recognise the women health workers and ICDS workers as employees of the state and provide them with all social security measures?
2. What steps have been taken by GOI to provide appropriate budgetary allocations for these women functionaries?
3. What measures has the government taken to ensure proper implementation of the laws for social security provisions for women in all unorganised sector as well as unorganised workers in organised sector

¹MahapatroSandhya R. (2013).Declining Trends in Female Labour Force Participation in India: Evidence form NSSO. Online at <http://mpr.ub.uni-muenchen.de/44373/MPPRA Paper No. 44373>, posted 14. February 2013-09:43 UTC

²Roy S &Sahu B.(2013).Can ASHA be a Ray of Hope for Providing MCH services in India and Odisha? Exploring through a Qualitative Study. *Journal of Global Health Care Services*. www.igchs.info. (ISSN 2154-6743 online

³Planning Commission of India. (2010-11). Eight Report of Working Conditions of Anganwadi Workers.

4. What are the various empowerment strategies that the government has included in all programmes that target women specifically?

Article 16

With increasing violence against women and girls, there is also commensurate increase in violations of all other rights of women and girls. In several communities there is increasing patriarchal stranglehold over women's mobility, banning of mobiles for girls, strict enforcement of cultural codes with regard to access to health and educational facilities. Since India is a diverse nation and violence against women manifests more sharply against women in marginalised communities from lower castes, tribes, religious minorities and remote regions. Though there are several old and new laws for affirmative action for women as well their protection from violence, the state has not been able to ensure systematic implementation of these laws. The personnel within the system need continuous sensitization and action needs to be taken quickly against erring office bearers but many a time the due diligence of law implementation leaves much to be desired. Gender equality, caste and caste discrimination, respect for diversities with specific focus on regions and ethnicities need to be introduced in the curriculum for education at all ages.

Another aspect is that several parts of the country (Jammu and Kashmir, parts of Manipur, Assam and Chhattisgarh) are under the retrogressive law of the Armed Forces Special Powers Act (AFPSA). In these regions women human rights defenders are facing increasing violence from state authorities, especially the army. In face of such repression women activists find it difficult to mobilise and come together to access their rights and demand cessation of conflicts. It's time that the state acknowledges this form of violence against women and ensures quick repeal of this Act. The state needs to provide appropriate forums and spaces for women to actively mobilise and engage in governance locally and nationally. The state needs to activate the various Commissions (women and child), ensure more powers to them to work with such women. This will only increase the democratic environment in the state and also facilitate peacemaking processes in conflict areas.

Questions:

1. While there are laws in place for violence against women in general, what are the steps that the government has taken to develop systems and build convergence with activists and organisations working on these issues?
2. How many officials have been appointed and committees set up at the local (village and municipal), block, district and national levels under the various Acts especially on VAW, SC/ST Atrocities, Sexual Harassment and Child Abuse? Provide data
3. How many cases have been actually filed, investigated, are pending and have been closed till 2013?
4. What are the periodic measures that the state has taken to make this data and all other data related to VAW available to general public?
5. Kindly provide information with regard to the current status of the AFPSA and what are the measures that the state has taken to repeal this law?

Input from members of Alliance IPAC Delhi, Sathi All For Partnerships Delhi, Shivi Development Society Delhi, Vaagdhara, Rajasthan, National Alliance For Labour Rights Delhi, WinG Manipur, MSS UP, Women's Political Watch Delhi, Go for Gender Delhi, National Coalition for Human Rights Rajasthan, Human Rights Law Network Delhi, PWESCR Delhi, VANI Delhi, CV Raman Research Centre Rajasthan, CHRFW Rajasthan, Lok Vikas Samiti- Bihar.