

## **UN Committee on the Elimination of Discrimination Against Women (CEDAW) review of India in the 58<sup>th</sup> session of the Committee**

See [UN press release 30 June 2014](#) - **References to caste-based discrimination in the informal meetings with NGOs and NHRIs on the first day of the 58<sup>th</sup> session of the Committee**

The Committee on the Elimination of Discrimination against Women this afternoon met with representatives of non-governmental organizations (NGOs) and the National Human Rights Commission of India to hear information on the situation of women in Peru, India, Mauritania and Syria, whose reports will be considered during the first week of the session.

Violence against women in India remained pervasive and unchecked by the law, and was aggravated by inequalities along the lines of **caste**, class, sexuality, ethnicity, religion and disability. Discrimination continued to be neither recognized nor addressed holistically and the Constitutional framework of equality was limited to specific grounds that did not accommodate underlying causes of marginalization, stigma and exclusion. Speakers also took up State accountability and impunity, and pointed to the huge gap between the laws and their implementation, and the lack of operational autonomy of institutions entrusted with providing comprehensive protection and redress for women.

### **India**

A speaker from [National Alliance of Women](#) expressed concern about the freedoms and rights of women which were being put at risk from the adoption of an economic agenda bereft of social justice, and containing threats to freedom of speech, expression, dissent and association. The large scale neo-liberal development agenda threatened women's livelihood security and access and control over resources, leading to dispossession, displacement and impoverishment. Violence against women remained pervasive, unchecked by the law. Inequalities along the lines of **caste**, class, sexuality, ethnicity, religion and disability aggravated the violence and heightened impunity.

[Interstate Adwasi Women's Network](#) said that global capitalist practices, human development and social policy and rising fundamentalism were part of the broader social structures that had the potential to have a negative impact on access to resources and services, resulting in the greater marginalization of groups and individuals from the **Dalits**, adivasis, religious minorities, those with various sexual orientation, persons with disabilities and others. The multiple deprivations in terms of access to health, education, sanitation, water, housing decent work, and wages and personal security faced by the marginalized groups needed to be addressed by the State.

[Women with Disability India Network](#) said that discrimination continued to be neither recognized nor addressed holistically and the Constitutional framework of equality was limited to specific grounds that did not accommodate underlying grounds of marginalization, stigma and exclusion. Non-discrimination remedies were only applicable against State actors, leaving the entire private sector and non-state actors out of its ambit. It was imperative that the Government recognized and responded to discrimination arising from disability, sexuality, sexual orientation and gender identity, in addition to the grounds of sex, **caste**, religion, and minorities that were covered by the Constitution.

Partners in Law and Development spoke about violence against women, which was widespread. Structures of inequality created conditions for systemic cyclical violence, heightening the vulnerability of women on account of **caste**, tribal, minority status, sexuality and disability. Due diligence demanded that the State addressed not just the manifestation of different forms of violence, but also the root causes embedded in entrenched social inequalities, economic marginalization, impoverishment and sexual stigma. Equally, the State must address the consequences of violence on individuals and communities, to heal, compensate, provide reparations and secure them against the recurrence of violence.

### **Response by NGOs**

There were several continuities between the previous and the new Government in **India**, although it was hard to say now which areas of policy would be affected. Communal violence and conflict remained of concern and there was a need for communal violence prevention legislation which had not been taken forward by the previous Government. The disability law was facing a roll back and India should make a commitment on moving it forward. The Committee should prevail on the Government to see that the lack of representation of women in political bodies and in the judiciary was addressed. The Government must pay attention and address sexual violence. On peace committees, they mainly existed on paper and the breach in relations continued; there was extensive sexual violence targeting Christian **Dalit** women. There was a need for more independence and autonomy in the work of the National Commission of Women to enhance its role and make it more proactive; further, as it had been constituted in 1992 before the Paris Principles, it did not have the infrastructure and independence necessary for it to guard human rights of women.