



CAUGHT BETWEEN ARMS

The State of Women's Rights in India

Shadow Report to CEDAW 58th Session

By WILPF India



WOMEN'S INTERNATIONAL LEAGUE FOR
PEACE & FREEDOM

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The report will be presented in July 2014, at the CEDAW 58th Session, where the 4th and 5th periodic Indian reports will be reviewed.

This is a joint report by WILPF India and the Human Rights Programme of WILPF.

As part of WILPF, the Human Rights Programme promotes a progressive gender-perspective in preventing conflict and creating peace through bridging global and local efforts to implement a holistic and transformative human rights approach.

The Human Rights Programme monitors the human rights bodies to ensure their integration of the Women, Peace and Security Agenda, social justice and disarmament from a gender perspective in order to duly address the human rights of women on the ground.

Based in Geneva, the programme focuses on WILPF's active participation in the human rights system. We bring WILPF's international message and strengthen the participation of Sections and national partner organisations in the human rights mechanisms using our Integrated Approach, this is, raising awareness on the causal relationship between human rights, disarmament, the Women, Peace and Security Agenda, social justice and gender equality.

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FOREWORD

The Human Rights Programme of The Women's International League for Peace and Freedom (WILPF) is very proud to regularly contribute to the country reviews of the Committee on the Elimination of Discrimination Against Women as well as other mechanisms of this Committee.

WILPF is an international non-governmental organisation with National Sections spanning every continent, and an International Secretariat with offices in Geneva and New York focusing on the work of the United Nations and the multilateral system more broadly.

WILPF's fundamental aim is to address the root causes of armed conflict in order to prevent war. We address gender inequality, women's participation, human rights and we promote social, economic and political justice. We identify militarism as a form of patriarchy.

Our National Sections are autonomous entities formed by members of WILPF, most of which are dynamic activists who work on a volunteer basis.

All country-focused submissions to the Committee are elaborated in a joint effort with these National Sections and other national partners. This very valuable information is thus provided by local and national organisations.

The Human Rights Programme assists in the technical support to ensure all information arrives to the hands of the Committee in the right legal format and with the required background to the best of our means. We also coordinate the active participation of our members during the session to enrich the process and provide any information that might be useful to the Committee.

WILPF's submissions will often address gender inequality in relation to conflict prevention and resolution and peace building. We will address disarmament from a gender perspective and we will challenge the social, economic and gender injustice that comes with militarism. The specific focus of each submission is determined by our national section according to their country situation.

WILPF and its delegates remain at the disposal of the Committee to contribute to a successful review that advances the country towards gender justice.

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Participation of Women in Decision-Making

Articles 4 and 7

General Recommendation 30 and UNSCR 1325 & following

In the Lower House of Parliament (Lok Sabha)

In India, in the fourteenth Lok Sabha (lower house of Parliament) there are only 51 women, constituting 9.51 per cent of the House

Even six decades after Independence, the representation of women in the Lok Sabha does not present an impressive picture. It has not crossed 10%. In the First Lok Sabha, there were only 22 women constituting 4.4% of the House. It increased marginally over the years except in the Sixth Lok Sabha when the House had only 19 women members. In the Thirteenth Lok Sabha, there were 49 women members. However, in the Fourteenth Lok Sabha, the strength of women members is 51.

In the Upper House of Parliament (Rajya Sabha)

Currently, in the Rajya Sabha there are only 23 women members constituting 9.50% of the House.

In the Rajya Sabha in 1952, the number of women members was merely 15 constituting 6.94% of the membership of the House. Over the years, the percentage of women has increased and now, out of 242 members, 23 are women constituting 9.50% of the House. In the Rajya Sabha, the representation of women has never crossed 12%.

In State Legislatures

Women's representation in State legislatures has been equally dismal. At present the average percentage of elected women in State Assemblies is 6.94%, the highest being 14.44% in Haryana and the lowest being 1.34% in Karnataka. States like Arunachal Pradesh, Manipur, Mizoram, Nagaland and Union Territory of Pondicherry have no representation of women in their Assemblies. In India, women are still fighting for their empowerment; women's representation in Parliament is merely 8%.

Women Participating in General Elections

Even though women enjoy equal political rights, very few of them are actually participating in the elections. In the Sixth General Elections out of the total contestants of 2439 only 70 candidates were women and in the Fourteenth General Elections, out of the total numbers of contestants of 5435, only 355 were women. Though the number of women participating in the elections may be increasing gradually, they continue to constitute a very small percentage of the total number of contestants.

Quotas for Women in Local Bodies — Encouraging trends

To increase their representation of women in decision-making bodies at the local level, the Constitution (Seventy-third Amendment) Act, 1993 and the Constitution (Seventy-fourth Amendment) Act, 1993 reserved seats for women at the local level bodies, namely, the Panchayats and Municipalities with the hope that these measures will set the trend to provide women their legitimate place in public life. After these amendments, Articles 243 D and 243 T

were added to the Constitution to provide that not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by the direct election in the local bodies (Panchayats and Municipalities) would be reserved for women and such seats may be allotted by rotation to different constituencies in the local bodies.

This, indeed, makes a historic beginning for the effective participation of women in the decision-making process at the grassroots level. In the elections to these local bodies, more than one million women were elected every five years. In 2006, 9,75,116 women were elected to Gram Panchayats; 58,094 women to Panchayats at Intermediate level; and 5779 women to Panchayats at the District level⁷. It is but natural that a larger number of women have participated in these elections and this signifies a very encouraging trend for women's empowerment. Though it has taken time for women to translate their numerical strength into active participation in the rural and semi-urban areas, the results have been truly astounding. Before establishing the quotas, the percentage of women in this area was merely 4.5 per cent, which after this has gone up to 40%.

Quotas for Women in Lok Sabha/Assemblies — Current Initiative

The Constitution (One Hundred and Eighth Amendment) Bill, 2008, popularly known as the "Women's Reservation Bill", was introduced in the Rajya Sabha on 6 May 2008. The Bill aims at eliminating gender inequality and discrimination against women, by political empowerment of women, so as to fulfill people's mandate of Women Empowerment as envisaged in the National Common Minimum Programme of the Government and seeks:

- reservation for women, as nearly as may be, one-third seats of the present strength of the House of the People and the Legislative Assembly of every State;
- to provide, as nearly as may be, one-third reservation for women including one-third the number of seats reserved for the Scheduled Castes and the Scheduled Tribes in the House of the People and in the Legislative Assembly of every State to be reserved for women of that category;
- to provide for reservation for women in respect of nominations of members of Anglo-Indian community in the House of the People and in the Legislative Assemblies of the States;
- to provide reservation for women in the Legislative Assembly of the National Capital Territory of Delhi; and
- to provide that reservation of seats for women should cease to have effect on the expiration of a period of fifteen years from the enactment of the Bill.

The Rajya Sabha passed the Women's Reservation Bill on March 9, 2010. The Bill has been pending for 14 years with one party or other raising objections on various grounds. With the three major parties -- the Congress, Bharatiya Janata Party and the Left -- supporting it, it was expected to get through recently, though parties opposed to it enacted rowdy scenes in the house.

Two parties that support the government alliance at the Centre, the Samajwadi Party and the Rashtriya Janata Dal, have since withdrawn their support; a third, the Trinamul Congress, abstained from voting.

The Bill now has to be passed by the Lok Sabha and ratified by 50% of the states before it comes into effect.

Most of the parties have pledged their support for the Bill provided there is consensus on it. Some parties, while maintaining that they are not opposed to women's reservation, contend

that the interests of women from Dalits, backward classes, Muslims and other religious minorities should be adequately protected.

WILPF would like to suggest the following recommendation for India:

- Pass and implement the Women's Reservation Bill and pursue efforts towards instituting a policy for gender parity in positions of decision-making, taking into account cultural and social factors too.

Implementation of Security Council Resolution 1325

In 2008, conflict and riots in the Kandhamal district in Orissa led to numerous human rights violations including killings, and burning down of houses and all properties of many victims. This conflict led to the displacement of thousands of homeless civilians who later took shelter in the relief camps opened and organised by the State of Orissa.

WILPF India sent a delegation in 2009 to investigate and to research the background and the consequences of the continued violence. We can thus affirm that the deplorable and inhuman conditions of refugee camps disproportionately affected the rights of women. We can underline that there were no toilet facilities or bathing space, which exposed women to unsafe conditions when they were compelled to enter the forest to relieve themselves. There was a total lack of privacy and women refugees in the camps were constantly worried about the inadequate supply of food and lack of nourishment for themselves and for their children.

The active participation of women in the peace-building process was not ensured. Peace Committees were organised but not a single women representative from the victims' group was asked to join such committees.

In light of the lack of procedures to ensure respect of UNSCR 1325 in post-conflict and refugee settings, WILPF India had the initiative of asking for a mechanism to protect the human rights of women in post-conflict situations. This initiative was submitted to the Supreme Court of India in Writ Petition No. 396 of 2009 (hereafter, the petition, see the full petition in annex).

The operations of this mechanism should start when conflicts arise and victims are moved to relief camps. It should specifically raise the demands of women and ask the State government and the Central government to respond to them, monitor the flow/ reach/ availability/ continuance, etc. The State and the Central governments should be vigilant until the camps are dismantled and each woman leaves for her home. The mechanism should also ensure women's participation in post-conflict negotiations as those of peace committees.

However, the above mentioned petition has been blocked by the government and, whilst the National Human Rights Commission was supposed to submit a report, the report has never been submitted to the best of our knowledge, despite our many requests for clarification.

WILPF would like to suggest the following recommendations for India:

- Create and implement a mechanism to protect women's human rights in post-conflict situations, especially in refugee camps and ensure their participation according to UNSCR 1325
- Ensure the equal and meaningful participation of women in Peace Committees and mechanisms alike

The Armed Forces Special Powers Act 1958

General Recommendation 30 and UNSCR 1325 & following

The Armed Forces Special Powers Act 1958 (AFSPA) was passed on 11 Sept 1958 by the Parliament of India. Under AFSPA, the governor of a state can declare an area as disturbed, which in turn gives armed forces extraordinary powers. The Act was designed to be in place for only one year, but remains in place 56 years later. AFSPA operates in Northeast India (Manipur, Tripura, Mizoram, Nagaland) and Jammu & Kashmir. The continuation of AFSPA amounts to state sanctioning of human rights violations. This will be demonstrated below with the Northeast region as a case study.

There is momentum, and a willingness from the highest levels of government to alter the institutionalised violence and discrimination present as a result of AFSPA. The 2005 Justice Jeevan Reddy Report to the Committee to Review AFSPA recommended that the provisions of the Act be amended to bring AFSPA into line with the government's human rights obligations. Prime Minister at the time, Manmohan Singh, in 2006 announced that the Act would be amended to reflect these recommendations.

In January 2013, a Public Interest Litigation was filed by a Manipur based victims' group and a human rights organisation in the Supreme Court of India. Investigations into 1,528 alleged extrajudicial killings in Manipur between 1979 and 2012 were launched. A three-member panel headed by retired Supreme Court Judge Santosh Hegde was appointed to investigate and also to analyse the functioning of the State police and Security forces in Manipur. In March 2013, the Supreme Court recommended that areas of Manipur be progressively de-notified under Section 3 of AFSPA and that the Manipur administration be made more 'sensitive, proactive and responsive'. The Supreme Court made 22 specific recommendations with clearly demonstrable outcomes.

The panel found damning evidence of impunity and abuse of special powers by security forces, resulting in widespread human rights violations. All seven deaths in the six cases investigated by the panel members were extrajudicial killings and not deaths resulting from 'encounters' where security forces claimed they had fired in self-defence against armed insurgents.

The panel also said that the continuation of the AFSPA in Manipur has made 'a mockery of the law,' and that the security forces have been 'transgressing the legal bounds for their counter-insurgency operations in the State.' The panel noted that the AFSPA was an impediment to achieving peace in regions such as Jammu and Kashmir and the Northeast. The recommendations are yet to be implemented.

Provisions of the Act:

Section 4 of the Act describes the special powers consigned to armed personnel,

'Any commissioned officer [...] in a disturbed area, if he or she is of the opinion that it is necessary to do so for the maintenance of public order, after giving such due warning as he may consider necessary, fire upon or otherwise use force, even to the causing of death, against any person who is acting in contravention of any law [...] arrest, without warrant, any person who has committed a cognisable offence and may use such force as may be necessary to effect the arrest; enter and search without warrant any premises to make any such arrest as aforesaid.'¹

Section 6 of the Act protects members of the armed forces from prosecution without prior

¹ Armed Forces (Special Powers) Act 1958, Section 4.

sanction of the central government. Section 197 of the Criminal Procedure Code prohibits prosecution of state officials without sanction of the central government. These processes are near impossible to circumvent and are seldom successful.

Consequences for Women

In reality this means that members of the security forces can steal, arrest, harass, confiscate money, enter premises, use any force deemed necessary in their opinion, including shoot to kill, without any real legal recourse being available to the victim.

Many civilian deaths are the result of fake encounters and enforced disappearances. The former involve armed forces executing civilians and then filing a police report claiming that the civilian was a member of an insurgent group. Enforced disappearances, in contrast, involve police entering a village and arresting an individual for questioning. In most instances, the person's corpse is then found abandoned several kilometers away. The Special Rapporteur on extrajudicial, summary and arbitrary executions, Christof Heyns, has received over 1,000 applications from Manipur alone².

Claims of torture have been substantiated by post-mortem reports following fake encounters, which show that the corpse often presents close range bullet wounds through each hand, and severe bruising inconsistent with the location of fatal bullet wounds.³

Examples

The following demonstrate the failures in prosecuting human rights abuses:

Thanjam Manorama

On 11 July 2004, Manorama was forcibly taken away from her home and then tortured, raped, and killed. Her body was then thrown on the side of the road. This disturbed the women of Manipur so much that a group of elderly women held a demonstration outside the Assam Rifles base, standing naked with a sign emblazoned with 'INDIAN ARMY RAPE US'. No one is yet to be charged with Manorama's death.

Mass rapes in Northeast India

On January 16, 2006, a writ was put before the Guahati High Court for charges of mass rape in the Churachandpur district of Manipur. 21 Hmar tribal women were allegedly raped by members of the United National Liberation Front and the Kangleipak Communist Party, insurgent and militant groups from Manipur. The Rajkhowa Commission of Inquiry heard testimony of 16 women and submitted a report in May 2008, however the report was never made public, which greatly impedes access to justice for conflict-related sexual violence in the region. Manipur has the highest nation-wide pendency rate for cases filed, at 86.7%.

In neighbouring Tripura in 1988, 14 tribal women were allegedly raped in the Dhalai district by Assam Rifles personnel. One woman testified that security personnel tied her husband and raped her in front of him. The youngest raped was a girl of 12 years⁴. A Special Commission was constituted to investigate this incident. According to parliamentary discussions, the special

² Human Rights Council 23rd Session Agenda Item 3 UN Doc No. A/HRC/23/47/Add.1 (26 April 2013).

³ Ibid.

⁴<http://fateh.sikhnet.com/Sikhnet/discussion.nsf/ca32680024ff68b487256a08007e86d8/78c8a7e0db9049578725665e007e02e8!OpenDocument>.

commission confirmed the reports of rape. No action has been taken so far.

Another example can be found in Assam, where in 1991 police personnel and security forces allegedly sexually assaulted 37 women in the Barpeta district. No investigation or prosecution has taken place.

WILPF would like to suggest the following recommendations for India:

- Repeal Section 4 and Section 6 of AFSPA and implement the Justice Hegde Committee Report recommendations, particularly the progressive de-notification of AFSPA
- Install fast track courts for the expeditious resolution of pending cases under AFSPA

Militarisation and Gun Violence: Prioritising Women's Rights?

Articles 11, 12 and 13

General Recommendation 19 and 30

Defence and Weapons Spending

Militarisation has been a major political priority for the government of India, evidenced in the significant public spending on security and defence industries. This spending unequivocally outstrips the government of India's spending in health, education and gender equality departments and programmes, which clearly points to a faulty gender-budgeting. WILPF believes that this lack of service providing, together with a major spending on the highly masculine security sector, may amount to a violation of **article 13**.

In 2012, total military spending in India was US\$46.125 billion, or 2.5 per cent of total GDP, an increase of 17 per cent from 2011⁵. At such a pace, the intelligence resource IHS Jane's has predicted that India is set to become the world's fourth-largest defense spender by 2020, when it is estimated to reach \$65.4 billion⁶. India is also currently the largest importer of arms, accounting for 14 per cent of total global arms imports, at a US\$4.6 billion price tag for the 2012-2013 financial years⁷. Recent data from the Stockholm International Peace Research Institute found that India's major arms imports have increased by 111 per cent between 2004–2008 and 2009–13, making it the world's largest importer, followed by China and Pakistan⁸.

WILPF India notes with extreme concern that the government of India is not looking to reduce the availability of armaments and is investing heavily in the development of export industries, including an expected US\$80 billion spend on Capital expenditure by 2015⁹.

Comparatively the government of India's spending on gender equality is markedly lower. There was USD\$5.9 billion allocated to the Ministry of Health & Family Welfare, and just USD\$13 billion¹⁰ allocated to programs relating to women in the 2013 Union Budget¹¹. The failure of the government of India to make available the necessary resources to address critical gender equality needs is directly linked to the growth of defence and security spending.

The Beijing Platform for Action Strategic Objective E.2 highlights the explicit link between public investment in defence and security over gender and human development needs. The diversion of public resources away from development these objectives to arms production and the maintenance of bloated defence forces and industries represents a direct violation of women's social, cultural and economic rights and fosters a culture of violence and inequality that directly undermines women's full enjoyment of their civil and political rights.

⁵ Stockholm International Peace Research Institute (2013). SIPRI Yearbook 2012: Armaments, Disarmament and International Security. Published in print and online by Oxford University Press

⁶ Cited in: Chandramohan, B. (2013). India's Defence Budget: Implications and Strategic Orientation. Future Directions International. Future Directions International

⁷ Stockholm International Peace Research Institute (2013). SIPRI Yearbook 2012: Armaments, Disarmament and International Security. Published in print and online by Oxford University Press

⁸ Siemon T. Wezeman and Pieter D. Wezeman (2013). Trends in International Arms Transfers - 2013. Stockholm International Peace Research Institute, Stockholm. Available at: <http://books.sipri.org/files/FS/SIPRIFS1403.pdf>

⁹ Nayan, R. (2013). Defence Industrial Base: Evolution the Way Forward. Defence and Security Alert. Available at: http://www.idsa.in/system/files/DIB_Nayan.pdf

¹⁰ Figures cited at USD Conversion Rate February 28, 2013

¹¹ Union Budget of India 2013-2014 Ministry of Finance, Government of India, New Delhi. Budget Summary available at: <http://indiabudget.nic.in/ub2013-14/bh/bh1.pdf>

WILPF would like to suggest the following recommendations for India:

- Acknowledging legitimate defence needs, take concrete steps towards a staged reduction in defence and weapons spending and for the allocation of these resources to critical human development and gender equality needs
- Implement transparency and oversight mechanisms to ensure that private contracts for security and defence equipment are subject to public scrutiny and parliamentary oversight
- Fully engage with civil society on matters of public expenditure, fiscal policy and budgeting through forums such as the People's Budget initiative.
- Develop concrete measures to address structural inefficiencies in allocation of resources defence and weapons spending to critical human development needs in the areas of public health, education and gender equality.

Nuclear Economy

The government of India is among nine nuclear-armed states (including Israel) and is seeking to modernise its nuclear weapons program.¹² While India has a 'no first use' policy, WILPF India notes with concern that it has not signed the nuclear Non Proliferation Treaty or the Comprehensive Nuclear Test Ban Treaty. We also wish to raise our concern that public expenditure on the maintenance and modernisation of nuclear weapons is shielded from transparency and democratic oversight under the pretense of "national security".

We recognise that the government of India was one of the two nuclear armed states to take part in the Oslo and Mexico conferences on the humanitarian impact of nuclear arms in March 2013, but are concerned that it has declined to sign the Joint Statement on acknowledging the "unacceptable humanitarian consequences caused by the immense, uncontrollable destructive capability and indiscriminate nature of [nuclear] weapons".¹³

WILPF India also wishes to highlight the severe impacts of the nuclear power for women and local communities. For women working in the proximity of uranium mines in areas such as Jharkhand, miscarriages, children born with physically and mental deformities, deaths and have been documented by human rights groups. WILPF considers this a violation of **article 12**.

Land grabbing, forced displacement, lack of consultation or compensation, and violent enforcement by state forces have been reported across India; and WILPF India notes with extreme concern that the violation of social, cultural and economic rights is becoming synonymous with large scale industrial development projects.

Research has identified that the absence of gender analysis in government sponsored resettlement programs has resulted in the loss of livelihoods, social support networks, and access to basic services as a substantial issues for resettled women, amounting to a violation of **article 13**. Research has also shown that despite the significant burden women bear; they are excluded from new employment generated by new industries.¹⁴ Absent or ineffective gender analysis has seen women disproportionately concentrated in insecure, unsafe

¹³ Joint Statement on the Humanitarian Impact of Nuclear Weapons 24 April 2013, Second Session of the Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

¹⁴ Parasuraman, S. (1993). Impact of Displacement by Development Projects on Women in India. ISS Working Paper Series/General Series, 159, p 1-12.

positions, and exposed to sexual exploitation, forced to work during the night, and face stigma and social exclusion.¹⁵ WILPF believes this amounts to a violation of **article 11**.

WILPF would like to suggest the following recommendation for India:

- Sign and ratify the Non Proliferation Treaty and the Comprehensive Nuclear Test Ban Treaty
- Sign the Joint Statement on the Unacceptable Humanitarian Impact of Nuclear Arms
- Implement transparency and oversight mechanisms to ensure that public spending on nuclear weapons programmes and private contracts are subject to public scrutiny
- In consultation with women civil society, develop a rigorous set of enforceable guidelines to ensure that all industrial development projects, and resettlement programs are subject to a strict gender analysis and that these guidelines are fully complied with.

Gun Violence

India has the most heavily armed civilian population, second only to the United States. Noting the links between small and light weapons and violence against women, WILPF India expresses deep concern about this growing trend and urges comprehensive action to reduce the availability of arms.

India is currently the largest official importer of arms, accounting for 12 percent of total arms imports at a cost of US\$4.6 billion for the 2012-2013 financial years. The government of India has signed the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in All its Aspects but has not assigned a coordinating body to oversee effective implementation. The Arms Trade Treaty was openly opposed by the government of India, and has not been signed, in contrast with ***CEDAW Committee's General Recommendation 30***.

The standard set by the government of India is filtering into civilian culture, and is fueling a significant increase in private gun ownership. The estimated total number of small arms (both licit and illicit) held by civilians in India now stands at 40 million.¹⁶ While WILPF India notes there exists relatively strong legislation for gun control in India approximately 15.7 per cent of the total firearms thought to be held are registered.¹⁷ This indicates a need for stronger mechanisms to improve compliance and reduce the number of illicit arms in circulation.

WILPF India notes the significant growth of "cottage weapons" industries in (manufactured in Uttar Pradesh and Bihar) and the increasing use of such weapons in communal violence and urban crime. We wish to highlight that policy and law and order responses require a comprehensive and gender sensitive approach, which must occur in tandem with a move towards a total reduction of available armaments held by state forces and civilians.

WILPF India would also like to highlight the ongoing issue of weapons trafficking in the

¹⁵ Nayak, P., & Mishra, S. K. (2005). Gender and Sustainable Development in Mining Sector in India. EconWPA.; Downing, T. E. (2002). Avoiding New Poverty: Mining-Induced Displacement and Resettlement. International Institute for Environment and Development, 52.

¹⁶ Alpers, P., Wilson, M., & Gardner, B. (2013). Guns in India: Firearms, Armed Violence and Gun Law. Sydney School of Public Health, The University of Sydney.

¹⁷ Anil, K., Karp, A., & Marwah, S. (2011). Mapping Murder: The Geography of Indian Firearm Fatalities. Armed Violence Assessment and the Small Arms Survey, Geneva.

Northeastern states. Evidence suggests the trafficking of persons, and patterns of gender based and sexual violence follow the same trafficking paths as small arms. The central and state government have adopted militarised responses, armed violence and arms trafficking, which are fueling an increased climate of insecurity and distrust. We urge engagement with local women's peace and disarmament movements, and the articulation of a clear policy of armed violence reduction in the Northeast. Such an approach must include the repeal of the Armed Forces (Special Powers) Act 1958 and clear process of de-militarisation, and the implementation of the Justice Verma Reports recommendations on the prevention of Violence Against women in the Northeast.

The rise in gun culture across India present a key challenges for the prevention of violence against women¹⁸. It has been found that men who had used weapons were far more likely to participate in (non-partner) rape, and gang rape. Evidence has demonstrated that owning a gun makes someone more, not less vulnerable to a lethal attack, particularly within the home, the most common site of violence against women.¹⁹ While men are much more likely to perpetrate and fall victim to gun violence, many more women than men are killed injured and intimidated by firearms in the context of domestic violence.²⁰ This evidence suggests that the increase private gun ownership is likely to result in more frequent, and more lethal violence against women.

It is then with grave concern that WILPF India notes the state owned Indian Ordnance Factory's recent announcement of the manufacture of 32-caliber bore lightweight revolver for women, and its reference to the 2012 Delhi gang rape victims' pseudonym Nirbhaya. This represents a comprehensive failure to account for the gendered dimensions of gun violence, and a potentially lethal exploitation of the women's fear of masculinised violence.

WILPF would like to suggest the following recommendations for India:

- Assign an adequately resourced coordination body for the implementation of the UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in All its Aspects and provide a mechanism for the full and effective participation of women's groups working in the field of disarmament
- Sign and Ratify the Arms Trade Treaty, and appoint a high-level working group to effectively plan for implementation, including transparent reporting mechanisms as recommended in **General Recommendation 30**.
- In full consultation with women's civil society, develop a comprehensive National Action Plan on Women Peace and Security, including strong measures on the reduction of small arms and armed violence

¹⁸ Fulu, E., Warner, X., Miedema, S., Jewkes, R., Roselli, T., & Lang, J. (2013). Why Do Some Men Use Violence Against Women and How Can we Prevent it? Quantitative Findings from the United Nations Multi-country Study on Men and Violence in Asia and the Pacific. Bangkok: UNDP.

¹⁹ Hemenway, D., Shinoda-Tagawa, T., & Miller, M. (2002). Firearm Availability and Female Homicide Victimization Rates Among 25 Populous High-Income Countries. *Journal of the American Medical Women's Association*, 57, 100–104

²⁰ Small Arms Survey (2011). India's State of Armed Violence: Accessing the Human Cost and Political Priorities. Small Arms Survey Issue Brief. Available at: <http://www.india-ava.org/fileadmin/docs/pubs/IAVA-IB1-states-of-armed-violence.pdf>

Status of Women in Gujarat

Articles 7, 11, 12, 13 and 15

Violence And Discrimination In Gujarat

The state of Gujarat has traditionally been considered a safe place for women until the communal riots in Gujarat in the year 2002 when women were subjected to rape, looting, destruction, abuse, and some were even burnt alive.

Both Hindu and Muslim women were denied access to important human rights, such as the right to work, to an adequate standard of living, primary level and adult education, health, cultural life and non-discrimination.

There were no efforts made to provide any kind of protection to women and there was no existing institutional mechanism through which they could seek justice, as they were also denied the right to report a crime (file a First Information Report). Although there is evidence of sexual violence and injustice against women, these have been terribly underreported and there are many such cases which demand further investigation.

Communal riots are an indication of religious differences persistent between the communities. Hence, There is a need for bridging the gap and evolving an integrated and harmonious human society.

Since the cultures of Hindu and Muslims are different and varied, there is a big gap of understanding between policing and law enforcement agencies (largely dominated by the Hindus), which further intensifies the problem.

The state needs to take measures to improve recruitment of women, especially Muslim women, in their law enforcement and policing agencies, and also ensure adequate training of the men police force on being more responsive to women's needs.

Responsive Government Machinery

We must aim at producing a scenario where all women can express their needs and priorities and where Government listens and acts so that the needs of all women are considered in Government policy. This machinery is entirely possible in the state of Gujarat that has the long experience of establishing and running extremely successful women self-help groups and cooperatives. The need is only to empower these self-help groups and Coops in looking beyond employment and job creation to addressing gender disparities and related concerns.

WILPF would like to suggest the following recommendation for India:

- To appoint women in criminal investigatory and legal departments in Gujarat to properly address attention to victims.
- To ensure access to legal remedies and justice for victims in Gujarat in a time bound and fully responsive manner, as also reduce distance between government and people at large.
- To make victims in Gujarat aware about the various legal aids provided to them under the constitution.
- To provide opportunities of employment especially in organized industrial sector for the women of Gujarat, in particular from discriminated social backgrounds.
- To reserve positions for minority women at all decision-making bodies and other crucial sectors.

- To take affirmative actions for inclusive development where minority women can enjoy equal share in education, health, security services, income generation, business and employment.

ANNEX

**Writ Petition No. 396 of 2009 on Women's Rights
following the conflict and riots in the Kandhamal district in Orissa**

IN THE SUPREME COURT OF INDIA

(CIVIL ORIGINAL JURISDICTION)

WRIT PETITION (CIVIL) No. OF 2009

(Under Article 32 of the Constitution of India)

IN THE MATTER OF

Women's International League
for Peace and Freedom-India section
Through its President
Dr. Ila Pathak
President of WILPF-India,
Having its office at
Peace Research Center,
Gujarat Vidyapith,
Ahmedabad – 380 014
Gujarat, (India).

.... Petitioner.

Versus

1. Union of India
Represented through The Secretary,
The Home / External Affairs Ministry,
Government of India,
Ministry of Home Affairs,
North Block,
Central Secretariat,
New Delhi – 110 001.

2. State of Orissa,
Through its Chief Secretary,
Government of Orissa,
Orissa Secretariat,
Bhubaneswar – 753 001.
Orissa.

.... Respondents.

To
The Hon'ble Chief Justice of India
and His Lordships' Companion Justices
in the Supreme Court of India,
At New Delhi.

The humble petition of the petitioner above named :

MOST RESPECTFULLY SHEWETH THAT :

1. That the petitioner, by the present petition, under Article 32 of the Constitution of India, begs to file this petition, in public interest to seek the intervention of this Hon'ble Court in respect of removal and redressal of the injustice and inequality caused to the people of the State of Orissa, especially the women of Kandhamal District and for the protection of their human rights which were blatantly violated on account of violence and riots that occurred in Kandhamal District of Orissa during the period from August 24, 2008 to August 30, 2008 is filing the present petition against the violation of fundamental rights under Articles 14, 21, 26, 29 and 30 of the constitution of India of women of Kandhamal districts of Orissa.
2. That the petitioner seeks intervention of this Hon'ble Court by appointing a Special Investigation Team (SIT) to inquire in respect of the injustice and violation of human rights that were caused to the women during conflict in Kandhamal District of Orissa in August-2008 as well as later in the relief camps and direct such proposed SIT to take suitable legal actions to redress the difficulties and to solve the problems of the women at large in such riots and conflicts.
3. The petitioner prays for constitution of independent and impartial investigation / inquiry agency, on similar pattern of Special Investigation Team for the purpose of investigation and inquiry in regard to the injustice, inequality and breach of human rights of women in Kandhamal District in the said outbreak of violence particularly with reference to "Universal Declaration of Human Rights, 'The Vienna Declaration', 'Convention on Eliminations of all forms of Discrimination Against Women' and UN Security Council's Resolutions 1325 on women, peace and security and 1820 on sexual and gender based violence during the aforesaid riots, conflict and violence, wherein the women were worst sufferers.
4. The Petitioners seek the indulgence of this Hon'ble Court to vindicate a mechanism to avoid the hardships and miseries caused to the women sufferers by the Respondent. This Petition is therefore made to get a specific mechanism that looks closely at the situation in which women get thrown and what kind of succor they need. Since the existing mechanisms do not become useful to women in their hour of need a new mechanism is prayed for.
5. The facts leading to filing the instant Petition are enumerated herein below:
The petitioner, the India section of The Women's International League for Peace and Freedom, hereinafter referred to as WILPF-India is active in India as the branch of the International Organization, which works closely with the UN, having had consultative status (category B) with the United Nations Economic and Social Council (ECOSOC), United Nations Educational Scientific and Cultural Organization (UNESCO) and the UN Conference on Trade and Development (UNCTAD) and has special relations with the

International Labor Organisation (ILO), Food and Agriculture Organisation (FAO), United Nation's Children's Fund (UNICEF) and other international organisations and agencies. WILPF was founded in 1915 by a group of very courageous women headed by Jane Adams to plead for peace in the turbulent times of the first World War. Since then the objective is 'to bring together women of different political views and philosophical and religious backgrounds determined to study and make known the causes of war and work for a permanent peace. WILPF works on issues of peace, human rights and disarmament at the local, national and international levels. Two of the founding members of WILPF, Jane Adams and Emily Greene Balch received the Nobel Prize for Peace in 1931 and 1946 respectively. At present WILPF has national sections in 35 countries, covering all continents. Its International secretariat is based in Geneva with a New York UN office.

Dr. Sushila Nayyar established WILPF-India section in 1956 and was its first president. She had participated in the nationalist movement and was one of the personal doctors of Mahatma Gandhi. She was invited to be the Chancellor of Gujarat Vidyapith, the national University initiated by Mahatma Gandhi in 1920 and held the office from August 2000 to 2001. Since 2001 WILPF-India section has been active from its office based in the Peace Research Centre of Gujarat Vidyapith. At present the India section of WILPF is presided over by Dr. Ila Pathak.

Dr Ila Pathak also heads an NGO in Ahmedabad, Gujarat functioning in name and style of Ahmedabad Women's Action Group (for short AWAG). AWAG has been founded in 1981 and registered in 1983 as a Society under No. Guj/970/Ahmedabad under the provisions of the Indian Societies Act 1860 and as a Public Trust under the Bombay Public Trusts Act, 1950 by No.F/946/Ahmedabad. AWAG has been working to boost women's self-image and protest against demeaning images of women depicted through mass media. AWAG defends women's human rights. It also seeks justice and equality for women in courts of law having built and sustained campaigns on women's issues. AWAG advocates policy change, reforms and improvements in State's systems relating to status, position and welfare of women. AWAG has so far made interventions on various issues with more than 2,75,000 women including those of minority and dalit communities. AWAG organizes and educates women (i) to protest against oppressive social customs (ii) to protect victims of domestic violence (iii) to promote health and hygiene of the women of the communities (iv) to establish rapport and linkages with State's services to get (a) educational inputs for children, (b) health inputs for women and their families (c) primary facilities for communities (v) to inculcate the habit of savings and to get credit, (vi) to organize women's committees. Self-help groups. Co-operatives, unions, and (vii) to demand strict implementation of pro-woman legislations. AWAG has been offering assistance to the women in distress with respect to social resolution of disputes and family feuds, psychological counseling, legal counseling and aid, support in law courts and follow up interventions. AWAG organizes training camps and workshops for women to achieve the aforesaid objectives.

The India section of WILPF, which is now headed by Dr. Ila Pathak has been working for the upliftment and protection of the human rights of the women in India and to achieve the objectivess of the constitution of WILPF in India. The Indian President of WILPF – India Section, Dr. Ila Pathak is a citizen and national of India and the present petition is filed for the above relief as the fundamental rights of women of Kandhamal District of Orissa, as Articles 14, 21, 26, 29 and 30 of the Constitution of India are violated in view of the following facts:

- 2.1 At the outset, the petitioner begs to state that India has executed and ratified number of International Conventions and Agreements, including 'Universal Declaration of Human Rights', 'The Vienna Declaration', 'Convention on Elimination of all forms of Discrimination Against Women' and UN Security Council's Resolutions 1325 on Women Peace and Security and 1820 on Sexual and Gender based violations during armed conflict, the true copies whereof are annexed hereto and marked as **ANNEXURE-"A" collectively**. India is a member of United Nations and has ratified and executed several conventions, some of which are as listed hereinabove. The said International instruments, inter alia, provide that "No one should be subjected to arbitrary interference with his privacy, family, home or correspondence, or to attacks upon his/her honour and reputation. The General Assembly of the Untied Nations adopted the Convention on the Elimination of all forms of Discrimination Against Women on December 18, 1979. It came into force as an international treaty on September 3, 1981. By the tenth anniversary of the Convention in 1989, almost 100 Nations, including India, had agreed to be bound by its provisions. The petitioner submits that among the international human rights treaties, the convention takes an important place in bringing the female half of humanity into the focus of human rights concerns. The convention reaffirms faith in fundamental human rights, in the dignity and worth of the human persons in the equal rights of men and women. The legal status of women receives the broadest attention. The general thrust of the convention aims at enlarging or understanding on the concept of human rights, as it gives formal recognition to the influence of culture and tradition on restricting women's enjoyment of their fundamental rights. The convention emphasizes "that a change in the traditional role of men as well as the role of women in society and in the family is needed to achieve full equality of men and women".
- 2.2 The petitioner states and submits that the Resolution 1820 (2008) adopted by the Security Council at its 5916th Meeting on June 19, 2008, inter alia, provides that sexual violence, then used or commissioned as a tactic of war in order to deliberately target civilians or as a part of wide spread or systematic attack against civilian population, can significantly exacerbate situations of armed conflict and may impede the restoration of international peace and security and

that effective steps to prevent such situation should be taken so as to prevent and respond to such act of such sexual violence which may significantly contribute to the maintenance of international peace and security. In the armed conflict that took place in Orissa, the petitioner seeks to draw attention to the widespread and systematic attack on the population in Kandhmal district which disturbed the peace and security, especially of women.

- 2.3 The petitioner states that from what is stated herein below, it is evident that the respondent State has failed to maintain the above standard and to protect the human rights and dignity of women during the riot and conflict in Kandhamal District during the period of August 2008.
- 2.4 The petitioner states that the Security Council Resolution 1325 passed unanimously on October 31, 2001 recalling several earlier Resolutions, emphasized the concern that civilians, particularly women and children, account for the vast majority of those adversely affected by armed conflict, including as refugees and internally displaced persons and increasingly are targeted by combatants and armed elements and recognize the consequent impacts this has on durable peace and reconciliation. The SCR 1325 includes that in post-conflict negotiations women ought to be included. The petitioner craves leave to refer and rely upon the said Resolution 1325 at Annexure-“A” Collectively.
- 2.5 The petitioner – a citizen of India, being the President of WILPF’s India section and Founder Secretary of Ahmedabad Women’s Action Group – AWAG, has been active in protesting against violence against women and in protecting women’s human rights. Her action group seeks justice and equality for women in society and advocates policy change, law reforms and improvements in States system concerning welfare and protection of human rights of the women. The petitioner as head of AWAG and India section of WILPF seeks intervention of this Hon’ble Court by appointing a Special Investigation Team (SIT) to inquire in respect of the injustice and violation of human rights that were caused to the women during conflict in Kandhamal District of Orissa in August – 2008 as well as later in the relief camps and direct such proposed SIT to take suitable legal actions to redress the difficulties and to solve the problems of the women at large in such riots and conflicts.
- 2.6 A team of Women’s International League for Peace and Freedom – WILPF led by the President, WILPF – International accompanied by the President WILPF– India Section, the petitioner herein and two others conversant with the language and area in Orissa, visited Kandhamal District of Orissa State in January – 2009 to inquire and to research the background and consequences of violence in riot and conflicts that took place in December – 2007 followed by riots and conflicts on account of assassination of Swami Lakshmananand Saraswati and his

four followers on August 23, 2008. The petitioner and the team noticed pathetic and tragic conditions of the victims including women of the above violence and conflict. On account of the said communal violence, hundreds of houses were put on fire and many Churches and institutions and dwelling houses were completely destroyed and ruined by desecration, ransacking and burning, rendering thousands homeless and displaced. The victims ran for safety to save their lives to the nearby forests and later took shelter in the relief camps opened and organized by the State of Orissa. The victims have been taking shelter in such relief camps at present even. The petitioner begs to point out that the several affected families of villages Tikarbaju, Usurukupa, Bilaranga Mada were not allowed by miscreants to come back from the relief camps and re-settle in their respective homes of the Villages. That tension still prevails. The respondent State had not deployed adequate forces at the time when communal violence had broken out nor given additional protection to the life and property of the people of villages in Kandhamal District.

- 2.7 The petitioner states that the recent visit of Hon'ble Minister for Home Affairs, Mr. P. Chidambaram to the relief camps in Kandhamal District and his statement apologizing for the unhappy situation to the victims in the relief camps and the people of Kandhamal District is a pointer that the normal situation has not been yet restored in the affected villages and other places of Kandhamal District.
- 2.8 The petitioner begs to annex a statement showing the details of damage, death and destruction that took place on account of communal riots in Kandhamal District which had spread to other parts of Orissa State due to tragic event of murder of Swami Lakshmananand Saraswati and four others on August 23, 2008. The said annexure is at **ANNEXURE-"B"**. The facts and figures shown in the said statement have been collected by the volunteers of the Ambedkar Lohia Vichar Manch, Orissa, which is a State level organization working for the protection and promotion of the human rights of the people in Orissa. The data and details have been provided by the victims. All the incidents of crime and offences were reported to the Police and no timely and necessary actions were taken by the concerned authority of respondent State, giving impression that the Police machinery was working in collusion with the communal groups. The petitioner has therefore, reasons to believe that because of such collusion and support of the State Authority and machinery, such brutal attacks and destruction and damage to the property could take place by the rampaging mobs. The riots and violence had escalated due to non-deployment or lack of deployment of adequate police or paramilitary forces by the State Government. Thus, the violation of human rights of the innocent people particularly women, continued without any remedy.

- 2.9 The petitioner and her team on their visit to the relief camps and other villages of Kandhamal District after the aforesaid conflicts and violence affecting the human lives and properties of the people of Kandhamal District in Orissa, noticed and noted that human rights of men and women have been blatantly violated, women have not been given any specific facilities as women e.g. no privacy, not even of bathing space or an extra pair of clothing. Peace Committees were organized but not a single woman representative from the victims' group is asked to join such committees. The report made by the team of Women's International League for Peace and Freedom presents details of such violations. The approach of the team was humanitarian with specific focus on women. Several fact finding missions had made their reports on violence and conflicts in the Kandhamal District and the conditions prevailing in the relief camps. However, such reports have not been made with regard to the conditions and status of women who have been sheltering there in the relief camps.
- 2.10 The respondent State Government had organized eighteen relief camps wherein more than 25,000 victims who were rendered homeless and destitute in the aftermath of the violence that took place from August 24, 2008 onwards were sheltered. The petitioner and the team noticed that the victims, particularly women in the camps, were subjected to inhuman torture and unsafe exposure. The refugees were sheltered in tents and in school buildings as well. Those sheltering in Tikabali Relief Camp stated that when they first came to the camp, they were about six thousand victims taking shelter in about 100 tents. Therefore, about 50 to 55 victims were accommodated in a single tent of 15' X 15' m size. About ten families including men, women and children huddled together. Thereafter, the situation had eased since there were about 1200 victims in the camp at the time of the visit of WILPF's team. A number of people had migrated in search of work or shifted to the place of their relatives or settled in other districts of nearby States or had returned to their homes following the efforts of the officers of the State. The refugees in the camp were haunted with the fear of reconversion and death. They were, therefore, hesitant to go back to their respective villages.
- 2.11 The team members noticed that the conditions in the camp were unhygienic. In the camp at Tikabali the bathing space was surrounded by dirt and slush. The kitchen place in the corner was filthy and cows were noticed wandering around kitchen places. Drinking water was provided to the refugees from a tube well or a tanker. The daily supply of water for a family of refugees was received in a bucket which was left uncovered in the tent. Impurities in such water were visible.
- 2.12 In G.Udaygiri camp, there were no toilets. On inquiry, the team was told by the officers that the refugees did not use toilets, as they were

used to going out in to the forests to ease themselves. Wash places were not earmarked nor were there any facility of bathrooms. The refugees bathed in the open where water supply was available. It was pathetic condition particularly for women refugees.

- 2.13 In one of the camps, a woman refugee was noticed as being dressed in a nightgown. The team learned through other women refugees, that the Government had provided only one pair of clothing to the women refugees and this particular woman was dressed in the gown when she ran for life. During the mayhem and in the camps women suffered a lot. Sudden uprooting, running around for shelter and insecurity of the family, caused panic and the women suffered a lot of trauma and torture. Total lack of privacy in the camps, which were shared with men of other families could not have allowed the women to relax and have adequate rest. The women refugees in the camps were all along worrying about the inadequate supply of food and lack of nourishment for themselves and their children. The women in the refugees' camps were scared and traumatized. Annexed hereto and marked as **ANNEXURE-“C”** is the copy of the said Report by WILPF. The petitioner craves leave to refer and rely upon Part – V of the said report pertaining to “Life in Camps”.
6. The petitioner team, while analyzing the situation in Kandhamal, Orissa, felt that there were many similarities with the incidents that took place in Gujarat in the year 2002. The minority communities were attacked and their houses and property were burned to ashes. It does amount to serious violation of human rights particularly, violation of explicit rights of women. The petitioner WILPF Team apprehends the repetition of such violation. It is, therefore, necessary in the interest of justice and to safeguard security and safety of the people of Orissa particularly the women, and in similar eventualities other groups of people including women that a special mechanism to protect the human rights of women be created which could be activated in such post conflict situations. Its operations must start when conflicts arise and victims are moved to relief camps. It will raise the demands of women specifically and ask the State and Central governments to respond to them, monitor their flow / reach / availability/ continuance etc. It should be vigilant till the camps are dismantled and each woman leaves for her home. The mechanism will also ensure women's participation in post conflict negotiations as those of peace committees. The petitioner, therefore, prays this Hon'ble Court to consider the peculiar pathetic plight of the women in Kandhamal district of Orissa and to avert the reoccurrence of violation of women's human rights, some special mechanism for women may please, be ordered to be established.
7. The petitioner has looked into the numerous recommendations made by different fact-finding teams with reference to the mayhem that took place in Kandhamal district of Orissa State. All of them made very relevant comments and requested the State government variously. The gains made thereafter for the refugees were undoubtedly valuable for both men and

women. But none of them looked at the situation from women's point of view so their specific needs were not noticed. Those who made a number of recommendations did not notice women's needs and the State had not noticed them either. Fact remains that women are not seen as specific vulnerable group that needs care for its own needs different from those of men.

The petitioner is deeply disturbed that from August 2008 to date the National Human Rights Commission has not moved at all. Hence there is no expectation of succour from that quarter at all. The National Commission for Minorities (NCM) was represented by its Vice-President, who went to Bhubaneswar and reminded the State Government of his recommendations made earlier in January 2008 in the wake of the riots that took place in December 2007 in and near Kandhamal district. The dignitary did not visit the camps of the refugees so no specific recommendation is expected from NCM either. This petition is therefore made to get a specific mechanism that looks closely at the situation in which women get thrown and what kind of succour they need. Since the existing mechanisms do not become useful to women in their hour of need a new mechanism is prayed for.

8. The petitioner states that Archbishop Raphael Cheenath, S.V.D. Archbishop of Cuttack had filed a Writ Petition (Civil) No. 404 of 2008, under article 32 of the Constitution of India, before this Hon'ble Court. However, the relief and the prayer, which the petitioner seeks in the present petition, are not in the above Writ Petition No. 404 of 2008. The said petition prays among other things, for adequate compensation and arbitrary and irrational methodology employed during the clashes and conflicts and rehabilitation. The petitioner has not filed any other petition with subject matter and relief of the present petition in this Hon'ble Court or any other High Court in India.
9. The petitioner has no other alternative and equally efficacious remedy but to approach this Hon'ble Court.

10. PRAYER

In the above premises, the petitioner prays that the Hon'ble Court may graciously be pleased to

- A. Issue a writ of mandamus or any other appropriate writ, order or direction to the Respondents to provide the proper and adequate facilities to the women in the Refugees' Camps in Kandhamal District in Orissa so as to maintain their dignity and status.
- B. The petitioner further prays to direct the Respondents to create a necessary mechanism to protect the human rights of women which could be activated in such post conflict situations. Its operations must start when conflicts arise and victims are moved to relief camps. It will raise the demands of women specifically and ask the State and Central

governments to respond to them, monitor their flow / reach / availability/ continuance etc. It should be vigilant till the camps are dismantled and each woman leaves for her home. The mechanism will also ensure women's participation in post conflict negotiations as those of peace committees.

- C. The petitioner, therefore, prays this Hon'ble Court to consider the peculiar pathetic plight of the women in the relief camps of Kandhamal district of Orissa and to avert the reoccurrence of violation of women's human rights, a special mechanism for women may please, be ordered to be established.

To consider the peculiar pathetic plight of the women in the relief camps of Kandhamal district of Orissa and to avert the recurrence of violation of women's human rights, a special mechanism for women, may please, be ordered to be established.

- D. Award the costs
E. Grant such other relief as the Hon'ble Court may Deem fit.
F. Award the costs.
G. Grant such other and further relief as Hon'ble Court may deem fit.

AND FOR THIS ACT OF KINDNESS, THE PETITIONER AS IS DUTY BOUND SHALL PRAY FOR EVER.

Date : July , 2009

.....

Place : New Delhi.

Advocate for the petitioner.

Affidavit

I, Ms. Ila Pathak, the President of the petitioner WILPF herein do solemnly affirm and state that what is stated in para ... to and andis true to my knowledge and information and I believe the same to be true. Para contains prayer clause.

Solemnly affirmed on this day of July, 2008 at Ahmedabad.

Deponent.

Identified by me.

Advocate.

Filename :- Special Civil Applica J.G. TRIVEDI

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

DISTRICT : SURENDRANAGAR

SPECIAL CIVIL APPLICATION NO.

OF 2008

1. Trivedi Jagdishchandra Girjashanker & Others

...Petitioners.
(Original Plaintiffs /
Appellants)

Versus

Gujarat Energy Transmission Corporation,
Vadodara....Respondent
(Original Defendant /
Respondent.)

I N D E X

Sr. No.	Annexure	Particulars	Page No.
1.		Synopsis	1 to
2.		Memo of Petition	
3.	"A"	True copies of the plaint and application Exh. 5 in the said suit.	
4.	"B"	True copies of the said Written Statement and the reply.	
5.	"C"	True copy of the impugned Judgment and Order dated 04.07.2008 rendered in Civil Misc. Appeal No. 7/2008.	
6.	"D"	Copy of proposed scheme of erection of 66 K.V. line, published by public notice in the Gazette.	
7.	"E"	Copy of Arguments in writing submitted by the petitioners on 17.05.2008.	

Date : August , 2008**Place : Ahmedabad.****(Bhargav D. Karia)****Advocate for the petitioners.**

The Women's International League for Peace and Freedom (WILPF) is an international non-governmental organisation (NGO) with National Sections covering every continent, an International Secretariat based in Geneva, and a New York office focused on the work of the United Nations.

Since our establishment in 1915, we have brought together women from around the world who are united in working for peace by non-violent means and promoting political, economic and social justice for all.

Our approach is always non-violent, and we use existing international legal and political frameworks to achieve fundamental change in the way states conceptualise and address issues of gender, militarism, peace and security.

Our strength lies in our ability to link the international and local levels. We are very proud to be one of the first organisations to gain consultative status (category B) with the United Nations (UN), and the only women's anti-war organisation so recognised.



WOMEN'S INTERNATIONAL LEAGUE FOR **PEACE & FREEDOM**

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