

Human right violations of women

Women	birth & child - infanticides, neglect of nutrition needs, edu, healthcare teen & adult - underage marriages, unwanted pregnancies, domestic violence, sexual abuse, marital rape, honor killings Gender based violence - dowry deaths, cruelty/rape by family/in laws, forced abortions, intimate partner violence (IPV)
Stats -	
	27% girls in India - underage marriage and pregnancy (2015-16 UNICEF)
	30% of Indian women - domestic violence at least once by age of 15, 4% pregnant women - spousal violence (2012 UNICEF)

Vulnerable groups

Women and girls
Children
Refugees
Migrant workers
Displaced people
Stateless people
HIV and AIDS victims
Elderly people
Disabled people
National minorities
Indigenous people
LGBTQIA+ people

UN on children's rights

UNICEF (11 dec 1946- permanent in 1953)	to provide emergency food and healthcare to children and mothers in countries that had been devastated by World War II
UN Convention on the Rights of the Child (Nov. 20th 1989)	civil, political, economic, social and cultural rights of children
Includes:	
right to survival	
right to protection	
right to development	
right to freedom of thought and expression	

LGBTQ community

UN provisions (no violence against women)

June 1993 Vienna Declaration and Program of Action (VDPA)
Declaration on the Elimination of Violence Against Women (20th December 1993)
Beijing Declaration and Platform for Action (1995)
2030 Agenda for Sustainable Development (UN, 2015)

Criminal justice system in HR

The court serves to protect human rights in three key areas:
During arrest - 1st step of criminal justice system, guidelines issued by apex court must be followed
Ensure:
-evidence is admissible wrt legal procedure
-accused is informed of their rights (to remain silent, to an attorney)
-accused is not subjected to any form of torture or inhumane treatment
<i>custodial torture</i> - common police practice in India

Criminal justice system in HR (cont)

During trials	protect - liberty, speedy trial Ensure: -accused receives a fair and impartial trial -opportunity to present evidence and cross examine witnesses -rights of the victim are protected + participate in the trial proceedings <i>Bail is the rule, jail is an exception</i> - rule of criminal justice system (CrPC), should not be subjected to pre-trial detention or incarceration unless necessary (chances of accused to flee from justice, tamper with evidence, or commit further crimes)
While serving sentence	Issues: prison overcrowding and the lack of basic amenities in prisons, torture/inhuman treatments apex court - issued several guidelines to authorities to safeguard rights of prisoners

Indian const. provisions for children

Art. 15(3)	special provisions for children
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section enforced in 1861 by british,
377 in criminalized homosexuality
IPC

sec 377 violated article 14, 15, 21 of Indian
constitution

In 2009, delhi high court decleared art 377
as unconsitiutional, this appeal was
overturned by indian supreme court in 2013

decriminalised on 6th sept 2018

UNHRC in 2011- human rights apply
equally to all regardless of their sexual
orientation or gender identity, appointed
special rapporter on HR of LGBTQ+



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Indian const. provisions for children (cont)

Art. 21A, 45, 51A, 86th consti-tutional amendment	free and compulsory education to all children 21A, 86th const - children btw 6 to 14yrs 45 - before age of 6 51A - duty of parent/guardian to provide edu for 6 to 14 yrs
Art. 23	prohibits trafficking of human beings including children
Art. 24	no child below 14 years can work in any hazardous occupation
Art. 39 A & F	state policies are directed towards securing the tender age of children

Indian const. provisions for women

Art. 15(3)	allows the state to make special provisions for women and children
Art. 39, The Equal remuneration Act 1976	equal pay to women for equal work
Art. 44	uniform civil code- to improve the condition of women across all religion
Acts	Dowry Prevention Act, Protection of women from domestic violence Act 2005

CRI - Children rights index (cont)

right to health	key indicators: mortality rate, life expectancy at birth, maternal mortality rate, risks of HIV, lack of water, inadequate nutrition and sanitation
right to education	(37% out of world - 287M) of indian population is illiterate gender inequality, no edu due to child labour, disc based on caste, SES
right to life	death due to poverty, female infanticides, post birth mortalities (families kill the babies after they're born)
right to protection	child marriage, labour, sexual exploitation/abuse, female genital mutilation, trafficking
enabling environment for child rights	no disc, enabling legislation, child participation, State-civil society cooperation for child rights participation

CRI - Children rights index

evaluates the implementation of children's rights as outlined in the United Nations Convention on the Rights of the Child (UNCRC) in different countries



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