

‘Violence against Women in India’

(September 2012 session of Human Rights Council in Geneva)

The insanity of the vicious and tragic violence over the years in India has always been masked and at the best ‘managed’ (*read suppressed*) by brute force and fear. There is no dearth of evidence to speak of the grave consequences on women and children in particular. The exploitative structures of caste and patriarchy have connived in an almost venomous manner and continue to degrade, manipulate and inflict terror on women, particularly those who are powerless and vulnerable. Hence, it is very clear that the question of human security in India is much more complex because of the existing deep-rooted multiple exclusions faced by vulnerable groups and communities.

Impunity unchallenged

Very often structural violence that occurs on an everyday basis seems rather invisible and in fact the sheer numbers speak of the fact that it is no less than a huge conflict. For example - Dalit women have been the object of violence degree from their own men, and also from higher-caste men. Thus, there were 37,841 registered cases of violence against Dalit women in the year 2001 alone (India: 2001). It should be noted that in India, about 90 percent of crimes against Dalit women are not reported to the police for fear of social ostracism and the threat to personal safety and security.

Sexual assault by security forces is widespread. However, cases of rape are highly under-reported given the stigma attached to it. As a result, rape in conflict areas rarely gets investigated or punished. In Chhattisgarh, six women raped by members of Salwa Judum still await justice from the court, while many other complaints of sexual violence in Central India are yet to be probed. Sexual violence against women as a ‘weapon of war’ are rampant and never see the light of investigation and women were forced to live their life with trauma and humiliation. A study conducted by WinG-Assam reveals that out of 15 cases of sexual violence committed by security forces during the counterinsurgency operation only one case met the ends of ‘justice’ and investigation in other cases are still due even after years. In a recent judgment, the Supreme Court stated that crimes of rape should be excluded from the immunity clause enjoyed by Indian security forces. WinG strongly believes that *increase in national security means decrease in security for women*.

The conflict in North East region of India (NEI) has raged for five decades now. Women and children are the worst victims of the slow and low intensity armed conflict and are caught in between violence by state and non-state actors. As a result the region is witnessing rise of female headed households with changing gender roles. Manipur in particular is witnessing a rising number of ‘gun widows’. The media and human rights organizations report a total of 300 extrajudicial executions per year in the tiny state. Most victims are of the age group of 25-40 years. Any compensation the ‘gun widows’ receive is *ex gratia* and wholly inadequate; it does not include any formal reparations. Thus, many widows and their children are forced to seek a substitute income elsewhere, running the risk of being exploited by traffickers of women and children, primarily for domestic labour and the sex industry. As of 2007, there were at least 27,000 conflict widows in J&K, 237 15,000 in Manipur and over 1000 in Assam. Conflict violence and extrajudicial killings have led to the presence of a considerable number of widows in conflict areas, many of who are denied any assistance by the State.

Large number of villages in the heartland of India are gloomy and empty with only the deathly silence lingering on – this is the impact of innocent communities caught in the trap of violence by armed

resistance groups and the State forces that deployed to ‘wipe them out’ Several fact findings, media reports and articles reveal the gross violations on women by the Army and the list is only growing by the day. Displaced and hungry, abused and tortured, the people of Central India and in particular the women are facing hardships that are beyond description. Yet, a violence of this scale remains unrecognized as a conflict.

Women are being actively involved in these conflicts as victims, survivors, mediators, activists, peace builders etc. They are often caught in between ‘two armed patriarchies’ and never became a part of any peace negotiation nor their issues were addressed in any of the ‘peace dealings’. Recently with the signing of peace accords, ceasefire agreements or memorandum of understanding in terms of suspension of operations with militant groups has raised hope for peace in the region. But perpetual end of violence in Northeast India seems unachievable. Surrendering of militants are often encouraged by the government of India through ‘surrender packages’ and ‘soft loans’ who joins the ‘mainstream’ or ‘gives up arms’ and thus recognizing the role of ‘militants’ (mostly men) while role of women in conflict and peacemaking are completely ignored.

‘Despite all these developments, peace building processes have also been viewed as potential sites for women to advance their rights and take on a greater role in governance and politics, especially by way of constitutional revisions. Increased representation of women in decision-making and mechanisms for conflict prevention, management and resolution are also key objectives of the United Nations (UN) Security Council Resolution 1325 (2000) on Women, Peace and Security’.

Women participation in public decision making process remains dismal in India. In early 1992, government of India undertook constitutional reforms to increase women’s participation in governance through its 73rd Amendment of the Indian constitution where one third seats were reserved for women in local governance system (Panchayati) and there are proposal to increase it to 50%. In Northeast India, however, the process was and moreover, the amendment applies neither to the states of Nagaland, Meghalaya and Mizoram, nor to hill areas of Manipur and Assam as the amendment is not applicable to ‘tribal’ areas (reas under 6th Schedule of Indian Constitution). In other parts of India, women Panchayat members from Dalit community are often denied space in local decision making and instead are threatened, abused and also killed while they seek to play a role in governance. Thus women are excluded from local decision making body and these areas are also severally affected by the conflict.

Women in Governance (WinG), a network of women organizations and activists representing NEI as well Dalit women, is breaking the stereotypical perception of women as victims and bringing out their experiences. To continue this important work, *Women in Governance* (WinG) would like to organize a side event on “Violence against women in India” on 12 September during the Human Rights Council in Geneva. We envisage around 10 participants, including ‘gun widows’ and activists from India.

The proposal: The side event will include a panel comprising of testimonies of women survivors and women activists. A book titled – “*Widows of the Gun*” will be released at the event by the women survivors.

