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## **India: Need for political action after panel's recommendations to end violence against women**

A series of recommendations to curb violence against women in India in the wake of the rape and murder of a 23-year-old woman will require strong political action and judicial will if they are to be turned into reality, Amnesty International said.

A panel led by former Chief Justice of India J S Verma, appointed by the Indian authorities in December 2012 following widespread protests against the rape and killing of a young woman in Delhi, yesterday made public its recommendations.

Key points included comprehensive changes to laws dealing with crimes of sexual violence, and key judicial and police reforms to ensure transparency and accountability in those institutions, as well as a reiteration of the rights guaranteed to women under India's Constitution

“The Indian authorities must follow up on their promise to give top priority to considering the Verma Committee recommendations. The Government must also actively initiate public education and other measures that need to be taken to change discriminatory attitudes towards women”, said Tara Rao, Head of Education for Rights, Spokesperson, Amnesty International in India.

The Verma panel's comprehensive report covered a number of proposed reforms including:

- review of existing legislation and practices affording impunity for members of police accused of torture and violence against women in custody;
- expanding the definition of rape to include marital rape;
- making rape laws gender neutral to include the rape of men and transgender individuals;
- framing a new protocol for medical examination of victims of sexual violence and their treatment during trial procedures;
- replacing outdated notions of outraging of 'modesty' with the crime of sexual assault;
- punishment of officials failing to report or register crimes of sexual violence;
- revising laws on trafficking aiming to bring them in line with international standards; and
- review of existing practices to trace those who may have been victims of trafficking

The panel also recommended an urgent review of the Armed Forces (Special Powers) Act (AFSPA) - the draconian law that guarantees impunity for members of armed forces accused of violence against women in conflict areas, including in Jammu and Kashmir and north-eastern states.

“The calls for review of the AFSPA are very welcome – this is a ‘lawless law’ that is only increasing frustrations and suffering among people in the areas of conflict. Amnesty International has consistently demanded repeal of this legislation,” said Rao.

“The recommendation to appoint special commissioners to monitor and initiate action for redress and

criminal prosecution in all cases of sexual violence against women by armed personnel in conflict areas in particular need to be studied in detail.”

Most reforms proposed by the Verma Committee are positive, but some may raise concern with respect to international human rights law. Amnesty International is particularly concerned that the committee appears to say that persons sentenced to life imprisonment should not have any possibility of release. Any such provision would amount to cruel, inhuman or degrading punishment.

“Instead of pushing for harsh punishment for the few convicted, it is more important to keep the focus on reforming the systems of reporting of incidents, investigation, prosecution and sentencing. That will help to address the frustration at those responsible for rape and other sexual violence escaping justice.”

*On 5 January, Amnesty International submitted a series of recommendations to the Verma panel:*  
<http://www.amnesty.org/en/library/info/ASA20/002/2013/en>