

Ensure speedy justice to survivors of violence, UN Women tells govt.

New Delhi Bureau

NEW DELHI: Reacting to the sentencing of the four convicted of the ghastly attack on the 23-year-old physiotherapy student here in December last, United Nations Women, a U.N. organisation dedicated to gender equality and empowerment of women, has asked the government to adopt a comprehensive approach to end violence against women.

"While the United Nations does not support capital punishment, perpetrators of crimes against women must be brought to justice. Evidence from across the world suggests that higher conviction rates serve as deterrents to violence. We, therefore, call on the Government of India to do everything in its power to ensure speedy justice for survivors of violence, especially those from marginalised communities," Rebecca Reichmann Tavares, Representative, UN Women's Office for India, Bhutan, Maldives and Sri Lanka, said here on Friday.

The December rape and murder, Ms. Tavares noted, was the tipping point that shifted the world's attention

Fast track courts and compensation should become the norm for all, says AIDWA.

to violence against women not only in India but across the globe. As a result, many progressive reforms and changes were suggested by the Justice Verma Committee and as a result Parliament came out with a law that calls for an end to impunity and recognises a broad range of sexual crimes against women. The Criminal Law (Amendment) Act, 2013 acknowledges that lesser crimes often escalate to graver ones and that deterrence is important.

But laws by themselves are not the solution, Ms. Tavares said, adding implementation matters as also changing mindset. Preventing violence against women is achievable because majority of the factors associated with men's use of violence can be changed, she opined.

"Violence against women should become unacceptable, for example through community mobilisation, school and sports-based programmes and engage-

ment with people who influence culture. Violence against women is not a women's issue but a human rights issue. UN Women joins the government and people of India in recognising that we need to take stronger action together to change the present reality. Every girl and woman has the right to a life free of violence."

Pointing out that December 16 crime triggered tremendous protests, resulting in changes in the law and in a speedy trial, the All India Democratic Women's Association said: "Unfortunately this is not the case in thousands of cases all over the country. We demand that fast track courts [decisions] and compensation become the norm for all. The harsh punishment is within the parameters of the law."

'Death penalty not a deterrent'

Though the death penalty has been welcomed by most, the Asian Centre for Human Rights (ACHR), says it does not act as a deterrent against crimes against women, and the probability of the victims being murdered by the criminals, in order to destroy evidence, must not be overlooked.

"Even though the [Delhi] case may fit into the 'rarest of rare' case doctrine, the death penalty does not act as a deterrent. The hanging of Dhananjay Chatterjee on August 14, 2004 [for raping and murdering a 14-year-old schoolgirl] has not reduced the incidence of rape in West Bengal," said ACHR director Suhas Chakma. In fact, in 2012, the State recorded the highest incidence of crimes against women — 2,046 cases of rape, 4,168 cases of kidnapping, 593 cases of dowry deaths and 19,865 cases of domestic cruelty — as per the latest Annual Report of the National Crime Records Bureau of the Government of India.

"The judgment today reinforces that in order to address crimes against women, apart from reparation, the government of India needs to create special funds to support the victims and their family members or relatives to enable them to follow up the cases to their logical conclusion, said Mr. Chakma.

Sensitive, proactive and competent police investigation; gender-sensitive, victim-centred procedural and evidentiary rules; filing of the charge sheet within a

specific time frame; appointment of special public prosecutors; and trial in fast track courts given the judicial delay in India were also the need of the hour, he said.

Physiotherapists hail verdict

The Indian Association of Physiotherapists has said the court verdict comes as a relief to the family and all those who protested for justice. "It is a ray of hope and instils confidence in the judiciary."

But Apne Aap Women Worldwide founder Ruchira Gupta says that without police and judicial reform the conviction may remain a one-off.

"Normally, rape cases take six to eight years to come to trial in India. There are more than 90,000 rape cases pending trial even now. These convictions, in just nine months, are a tribute to the vocal women's movement, which has not allowed the spotlight to dim on the case. We believe that [the] death penalty is not the answer. It is not the severity of punishment that will deter future rapists but the timeliness and surety of punishment," says Ms. Gupta.