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## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 122 of the Rules of Procedure

on violence against women in India  
(2013/2512(RSP))

**Graham Watson, Phil Bennion, Marietje Schaake, Leonidas Donskis, Ivo Vajgl, Kristiina Ojuland, Marielle de Sarnez, Louis Michel, Robert Rochefort, Ramon Tremosa i Balcells, Edward McMillan-Scott, Izaskun Bilbao Barandica, Johannes Cornelis van Baalen, Charles Goerens, Angelika Werthmann, Antonyia Parvanova**  
on behalf of the ALDE Group

**European Parliament resolution on violence against women in India  
(2013/2512(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on India,
  - having regard to Articles 2 and 3(5) of the Treaty on European Union,
  - having regard to the UN Declaration on the Elimination of Violence against Women
  - having regard to the UN Convention on the Elimination of All Forms of Discrimination against Women
  - having regard to the EU-India Thematic Dialogue on Human Rights,
  - having regard to the recommendations on India from the UN Special Procedures, the UN treaty bodies and the Universal Periodic Reviews (LD);
  - having regard to Art. 122(5) of its rules of procedure,
- A. Whereas discrimination of- and violence towards women in India is systematic and happens at a massive scale, including gender-selective abortions, infanticide, rape and murder and violence such as over dowry's
- B. Whereas the systematic violence and murder of women and baby girls has led to as much as an estimated 100 million missing girls, a deviation in the population estimate
- C. Whereas on 16 December 2012 a 23-year-old student was gang raped and her companion assaulted when five men and a youth violently attacked them on a private bus in New Delhi; whereas immediate first aid to the victims was not forthcoming with police and emergency services slow to respond to the horrific crime,
- D. Whereas the victim suffered severe injuries and tragically passed away on 29 December 2012 in Singapore,
- E. Whereas on December 27 2012 it was reported that a girl in Punjab committed suicide after she was gang raped because police were unwilling to register her complaint or arrest the accused,
- F. Whereas there has been widespread public anger in India with demonstrators from all sections of society calling for reform of laws, policing, and a general change on attitudes towards women,
- G. Whereas out of all the violent crimes officially recorded in India in 2011, 90% of

victims were female; whereas according to the Indian government statistics a women is raped every 21 minutes in India; whereas gang rape represent a collective punishment for women's liberation in India and has become extremely common in certain areas like in Delhi where women are afraid even to take the bus home after work,

- H. Whereas Dalit, Adivasi and minority women are particularly vulnerable and exposed to systematic and widespread discrimination and violence, including physical assault, sexual harassment and violence, individual and gang rape, naked parading, and demeaning jobs such as manual scavenging;
  - I. Whereas women and girls affected by caste-based discrimination are particularly vulnerable to various forms of sexual violence, forced and ritual prostitution, trafficking, domestic violence and punitive violence when they seek justice for crimes committed;
  - J. Whereas Indian Police have filed a case against broadcaster Zee News after it carried an interview with the friend who was with the victim during the 16 December attack,
  - K. Whereas India's laws governing sexual assault have been criticized by international human rights groups for being outdated and for the narrow definition of rape; Whereas India does not have a uniform protocol for medical treatment and examination of survivors of sexual assault, making responses ad hoc and unpredictable, and in some cases degrading and counter-productive,
  - L. Whereas following the New Delhi attack, the Indian central government formed a three-member commission headed to review current laws so as to provide speedier justice and enhanced punishment in cases of aggravated sexual assault,
  - M. Whereas after recent events high-level government officials have announced that they will pursue harsher penalties for rape, including the death penalty,
  - N. Whereas in May 2012, 90 civil society organizations and individuals, including Human Rights Watch, wrote to Indian Prime Minister Manmohan Singh urging reforms in responses to sexual assault and calling for greater police accountability,
- 1) Expresses its deepest sorrow for the victims of these attacks and extends its condolences to the families;
  - 2) Strongly condemns the systematic violence against women and calls on a society wide effort to end it; abhors the problem of violence against women as a global phenomenon affecting many countries;
  - 3) Urges a systematic approach to ending violence and discrimination of women in all forms, through ensuring legal protection, equal treatment and access to education and health care for girls and women;

- 4) Reiterates its long-standing opposition to the death penalty in all cases and under all circumstances;
- 5) Deeply regrets that more was not done to provide immediate assistance to help the victims of the attacks. Takes note of that gaps in the provision of security, healthcare and other basic services provided by the state which have been exposed by the tragedy which often encourages women not to bring charges against rapists, and the public outcry this has caused;
- 6) Welcomes the Indian government's initial actions in creating a commission to review punishment for aggravated sexual assault as an important step to reform criminal law and procedures for dealing with sexual assault;
- 7) Welcomes the establishment of the new fast-track court to specifically deal with sexual violence against women; Expresses concern however, that the trial of the accused is closed to reporters with a prohibition to print or publish any matter in relation to any such proceedings, except with permission of the court, something which has caused unease amongst the general public;
- 8) Welcomes the Lok Sabha speaker's call for an urgent need for stricter laws to ensure safety for women and to deal with rapists;
- 9) Calls on the Government of India to treat all cases of sexual violation towards all women equally and to investigate and prosecute them in an equal, fair, transparent and expedient manner, as well as to provide equal compensation to victims;
- 10) Urges the Government of India to take into account the particularly vulnerable situation of Dalit, Adivasi and other minority women and girls and to adopt specific provisions in order to meet its obligations to protect, promote and ensure the human rights of women and girls affected by caste-based discrimination;
- 11) Remains deeply concerned by the continued allegations of the use of rape as a weapon by Indian Security forces in Kashmir
- 12) Calls on Indian authorities to develop coordinated responses to gender-based violence, especially sexual assault; Highlights the need for state governments to monitor police handling of sexual assault investigations by holding officers accountable, prosecuting perpetrators, and ensuring the dignified treatment of survivors;
- 13) Calls on the Indian government to establish national standards and a uniform protocol for the medical treatment and collection of medical evidence in cases of sexual assault and to eliminate the use of finger tests on sexual assault survivors;
- 14) Underlines the need to address openly these issues, including topics that may be considered taboo, and to ensure education about human rights and women's rights for women in India;

- 15) Calls on EU and Member States' representations in India to prioritize programmes addressing violence against women, including in education, and programmes with particular focus on women and girls;
- 16) Instructs its President to forward this resolution to India's Prime Minister, India's Minister for Women and Child Development, India's National Commission for Women, the Council, the HR-VP, the Commission, the EU Special Representative for Human Rights, the governments and parliaments of the EU Member States, the Secretary-General of the Commonwealth, the Secretary-General of the UN and the President of the UN General Assembly.