

2012-13: Conferences/Meetings/Seminars/Workshops

Consultations:

Topic: The “Marriage Amendment Bill, 2010”

Date: 7th July 2012

A consultation on the “Marriage Amendment Bill, 2010” was held on 7th July 2012 in the ILS Law College Library. The consultation was chaired by Principal Vaijayanti Joshi. The consultation was attended by the faculty and students of the ILS Law College. Dr. Jaya Sagade presented the Bill with salient points. She also referred to the 71st and 217th Report of the Law Commission of India which had recommended introduction of the “Irretrievable Breakdown of Marriage” as a ground for divorce in 2009. She highlighted the major areas of concern. The discussion took place on whether irretrievable breakdown of marriage as a ground of divorce should be included in the marriage laws in India or not. The opinion was divided. The other point that was hotly debated was whether the period of 6 months under the provision of divorce by mutual consent should be waived. There was again no one opinion. But the discussion from different perspectives certainly brought number of complexities in connection with the matrimonial remedies to be provided under the Marriage laws.

Topic: Protection of Children from Sexual Offences Act, 2012

Date: 14th March 2012

A consultation was organized on the Protection of Children from Sexual Offences Act, 2012 on 14th March 2012. Ms Sneha Vishaka and Ms Joanita Britto – students of the ILS law College made presentations. They highlighted the salient provisions of the Act and commented on the definitions of different types of child abuses, mandatory reporting of child abuse, child-friendly procedures, gender neutral law, age of consent, burden of proof, procedure to record evidence, stringent punishments, establishment of Special Courts. Presentation was followed by fruitful discussion. Participants compared the other laws, upcoming amendments to rape law with this Act. The consultation was concluded with a note of need of frequent meetings on contemporary issues relating to women and children.

Conference:

Topic: Simulation Conference on the UN Commission on the Status of Women:

Date: 29th -30th August 2012

(Organised by Rudraneel Chattopadhyay)WSC through its Gender Studies Cell, convened the First Intra-collegiate Simulation Conference on the UN Commission on the Status of Women in collaboration with the United Nations Information Centre for India and Bhutan with acknowledgment from UN Women, South Asia. This conference simulated the UN CSW at structural, organizational, functional and procedural levels. The conference progressed during

29-30 August 2012. The priority theme for deliberation was “Equal participation of women and men in decision-making processes at all levels: with special focus on political empowerment of women”.²⁵ delegations composing of 50 students of the ILS Law College participated in the Conference. They represented the following Member States viz. Afghanistan, Bangladesh, Belgium, Brazil, Chile, China, Democratic Republic of Congo, Dominican Republic, Egypt, Germany, Ghana, India, Iran, Israel, Japan, Libya, Myanmar, Mozambique, Nigeria, Pakistan, Republic of Korea, South Africa, Sri Lanka, United States of America and Zambia. Each delegation represented its own government’s policy on the above mentioned theme. Thereafter all the member states entered into informal consultations, formed two working groups and prepared two separate reports which were in conformity with the Beijing + 15 Programme of Action - presented below.

REPORT OF WORKING GROUP I ON RESERVATION FOR WOMEN IN ECONOMIC AND POLITICAL SPHERES

Member States:

Afghanistan, Bangladesh, Belgium, Brazil, Chile, Dominican Republic, Germany, India, Israel, Myanmar, Mozambique, Nigeria, Republic of Korea, South Africa, United States of America

Working Group I concurred on discussing how reservations in economic and political spheres would effect in equal participation of women in decision-making processes. It dealt with this matter in two parts:

Reservation for women in public and private sector

Reservation of seats for women in national and local political parties

Reservation for women in public and private sector

Current policy of countries: It was noted by the working group that out of the 6 participating countries, three countries i.e. USA, Germany and Israel do not have any reservations with regard to the current theme. It was noted that, Israel have a reservation for women in military. Also, they have 30% reservation in board and senior management in public and limited liability companies with over 250 employees. Reservation of 60% in private part-time jobs has also been provided for. In Belgium, it was noted that, post 2011, it became mandatory for boards of private companies to reserve 1 out of every 3 seats for women. Estonia did not disclose their policy with respect to the current theme.

Reasons given by countries for their respective policies It was noted by the working group, that the reasons given by all the countries who have such reservations were similar in nature. The nations of the working group that have such reservations, i.e. Israel and Belgium justified this on grounds of upliftment and inclusion of women in the economic front. They opined that such reservations would help to do away with the disparity that exists in their economic scenario in terms of participation of women. It was noted, that the govt. of Germany is proposing legislation for mandatory quotas for women in the Pvt. Sector. It was stated that

currently quotas do not exist due to poor child care facilities because of which a woman after motherhood is not able to work. Lastly, it was noted that the USA does not believe in any reservation for women in the economic sector because they already have sufficient participation of women in their public and private sectors, whether it be the military or businesses.

What the countries do in terms of international aid

It was observed by the working group, that some countries were making efforts to assist other less developed nations to increase participation of women in public and private sector. The following is the summary:

Germany- Supplied funds to Afghanistan and Iraq. It was stated by the delegates of Germany that Germany has given 48% of the Economic aid for the benefit of women.

Israel- Assistance in Afghanistan, Congo, and Sudan for upliftment of women. 1.2 million dollars in Arab nations and 2 million Euros are reserved for middle-east and north African region. 45 million dollars in 40 countries since 2010. UN women general equality fund has also received 3 million Euros.

USA stated that it has a progressive foreign policy with women's interest at center. US Govt. has, 'Feed the Future' initiative which is a \$3.5 billion dollar grant for fighting global hunger with regards to gender integration in the global agricultural sector as the main sector. 'Global women's issues', has partnered with various NGO's all over the world, some of which are, 'The Propelling Women's Entrepreneurship program in Pakistan', 'Tech Women', and 'M women'. Also, 'USAID' has a current program called the "Women Empowerment in Agriculture Index". This index is currently being tested in Bangladesh, Guatemala and Uganda. USAID also has women's leadership and economic empowerment program in Liberia. Here they are trying to empower women through agricultural tools and training and encourage women's political leadership through targeted workshops for women leaders.

Recommendations of the working group I: The common consensus among the various countries in the Working Group strongly recommends the various countries which have reservations, to make sure that the quotas are adhered to among internal laws and are legally binding. We also recommend the UNCSW to remain actively seized on this matter, work on the implementation of the goals set by the Beijing Plan of Action as well as the Millennium Development Goals.

Reservation of seats for women in national and local political bodies:

Existing policies of the countries: It was noted by the committee, that three countries i.e. Germany, Israel and Belgium had reservation of seats for women with respect to national and local political parties.

Estonia did not disclose its policies with regard to the theme.

USA was noted to be the only nation amongst the six which did not have any reservations for women in national or local political parties.

Reasons given by countries for their respective policies: It was noted by the working group, that the four countries that provided for reservations for women in their political bodies support the provision on the grounds of political empowerment of women. They opine that, through reservations, it would ensure that women have a say in the governance and thus be made part of the decision making process. They believed that such reservation was necessary to uphold the principles of equality and was in consonance with Charter of Fundamental Rights of The European Union. The only dissenting opinion came from the USA who opined that they did not see reservation as a solution to the problem of less participation of women in politics of their country. They said that reservation is made in favour of a group which are considered as disadvantaged and which need to be brought on par with the mainstream. They agree that the participation of women in politics is less but do not believe that reservation is a solution to the problem.

The working group came to a consensus that barring a few exceptions, there is no nation in the world that has succeeded fully in narrowing the gap in the area of governance. The working group agreed that if a country has reservation for women and if it is not strictly adhered to, such reservation solves no purpose whatsoever and therefore the working group recommended strict implementation of these quotas without any derogation. The working group also recommended that if at all reservations forms part of the country's national policies it is always more beneficial if it is from the lowest level of governance i.e. the local bodies if the country deems it necessary. Lastly, the working group recommended that countries should make provisions for illiterate women voters and promote voters education campaigns especially for women.

REPORT OF WORKING GROUP II ON RESERVATION FOR WOMEN IN ECONOMIC AND POLITICAL SPHERES

Member States:

China, Democratic Republic of Congo, Egypt, Ghana, India, Iran, Japan, Libya, Pakistan, Sri Lanka, United States of America and Zambia

Working Group II composed of the aforementioned member states which had progress based action plan for the next three years until the Beijing +20 conference in 2015. India and USA voluntarily agreed to be a common member in both the working groups and led to the draft of these reports. In line with the general debate and the formal informal sessions, Working Group II concurred on the points which find mention in this report.

Working Group II of the simulated UNCSW reaffirms the Beijing Declaration and Platform for Action on women in power and decision-making, which emphasized that without the active participation of women and the incorporation of women's perspective at all levels of decision-making, the goals of equality, development and peace cannot be achieved, and that

women's equal participation is a necessary condition for women's interests to be taken into account and is needed in order to strengthen democracy and promote its proper functioning.

Working Group II recognize that progress has been achieved since the Fourth World Conference on Women in women's participation in decision-making at all levels. Introduction of policies and programmes, including positive measures, at the national level, has resulted in an increase in women's participation in legislative bodies.

Working Group II express concern that progress has been slow and uneven and that women continue to encounter challenges to their participation and leadership at the highest levels of decision-making as a result of, inter alia, the absence of enabling environments in political institutions, such as parliaments, legislatures and political parties, and the persistence of stereotypes that discourage women from taking up decision-making positions.

Working Group II concurred on the point that there is a lack of sufficient information and data at the national, regional and international levels on the participation of women and men in decision-making processes at all levels.

Working Group II would hereby urge the Governments and, as appropriate, the relevant entities of the United Nations system, other international and regional organizations, including the international financial institutions, political parties, civil society, including the private sector and nongovernmental organizations, and other stakeholders, to take the following actions:

- a. Establish concrete goals, targets and benchmarks for achieving equal participation of women and men in decision-making bodies at all levels, especially in the areas of macro-economic policy, trade, labour, budgets, defense and foreign affairs, including through positive actions.
- b. Develop policies and programmes to build a critical mass of women leaders, executives and managers in strategic economic, social and political decision-making positions.
- c. Review, as necessary, existing constitutional, political, legislative, and regulatory frameworks, including electoral systems, to remove provisions that hinder women's equal participation in decision-making processes at all levels.
- d. Ensure women's equal access to employment opportunities, productive resources, information and education and training, including leadership training, in order to facilitate their full and equal participation in decision-making processes at all levels.
- e. Ensure that institutions, including parliaments, develop an enabling environment for women's participation, including through measures aimed at reconciling family and professional responsibilities.
- f. Facilitate networking among women in decision-making positions at all levels including in academia, trade unions, the media and civil society organizations.

- g. Encourage men in decision- making positions to promote gender equality and empowerment of women and support women’s participation and leadership in decision-making processes at all levels.
- h. Facilitate research on the conditions under which the influence of women in decision-making positions or policy outcomes is increased, and women’s leadership at all levels is enhanced, and disseminate lessons learned and good practices.
- i. Ensure that women and men have equal opportunities during election campaigns by providing public funding and access to the state media, setting campaign spending limits, and ensuring that campaign finances and expenditures are disclosed.
- j. Provide women’s branches in political parties, where they exist, with the necessary resources to increase visibility within the party structures, to influence decision-making and to support women’s candidacies.
- k. Review party structures and procedures to remove all obstacles for women’s participation, in particular in leadership positions, with the aim of achieving parity at all levels.
- l. Adopt clear rules for candidate selection within parties, including, as relevant, the implementation of quotas for achieving equitable representation of women candidates in elected positions.
- m. Encourage consultative gender-budget processes to increase women’s participation in and influence on economic decision-making.
- n. Promote recruitment and career-development programmes that equip women with managerial, entrepreneurial and technical skills to enable them to assume decision-making positions at all levels and areas, especially in economic decision-making.
- o. Encourage efforts of trade unions, the private sector and non-governmental organizations to achieve equality of women and men in their ranks, including equal participation in decision- making.
- p. Strengthen research, monitoring and evaluation of progress in the participation of women in decision- making processes at all levels, including the local level, in particular in areas where there is a dearth of information, such as the economy, academia, media, trade unions, including through the development of standardized methodology for systematic collection of gender-specific data and statistics disaggregated by sex.

Procedure of the Conference:

The procedure adopted for this conference was in accordance with the actual UN CSW procedure adapted from UN 4 MUN programme, and further guided by the Beijing Platform of Action. Great emphasis was laid on the substantive content of the debate and the simulation gave impetus to research oriented diplomacy than oratorical debate.

This Conference was chaired by the adjudicating executive bureau which consisted of Dr. Jaya Sagade, with procedural secretarial support from Rudraneel Chattopadhyay, a student of the college.

Multiple training workshops were conducted during the week preceding the Conference.