

**National Human Rights Commission  
PRPP Division (Research Unit-2)**

**Minutes of the NHRC meeting with Everywomen Treaty regarding their proposal  
for an International Treaty to End Violence against Women**

A meeting was organized virtually with the members of Everywomen Treaty, on the latter's proposal for an International Treaty to End Violence against Women, on 11<sup>th</sup> January, 2022 at 11 a.m., under the chairpersonship of Smt. Jyotika Kalra, Hon'ble Member, NHRC.

Everywomen Treaty is a coalition of more than 1,700 women's rights activists, including 840 organizations, in 128 nations working to advance a global binding treaty on the elimination of violence against women and girls. Considering violence against women as a human rights violation, a public health emergency, and an economic crisis paints a comprehensive picture of the problem's wide-reaching and devastating effects—and provides a clearer view of why a global treaty is needed to address this global problem.

The 1969 Vienna Convention defines a **treaty** as "*an international agreement concluded between States in written form and governed by international law, whether embodied in a single instrument or in two or more related instruments and whatever its particular designation*".

The meeting was attended by the following:

Representatives of Everywomen Treaty

1. Ms. Meera Khanna, Vice President and Chief Executive, The Guild of Service & Co-Founder of Everywomen Treaty
2. Ms. Lisa Shannon, Co-Founder & CEO of Everwomen Treaty, USA
3. Ms. Jane Hodges, Former Director of the Gender Equality Bureau ILO & Global Policy Advisor, Everywomen Treaty, USA

Domain Experts

4. Ms. Vrinda Grover, Advocate, Supreme Court of India
5. Ms. Aparna Bhat, Advocate, Supreme Court of India

NHRC Officials

6. Smt. Jyotika Kalra, Hon'ble Member, NHRC
7. Shri Surajit Dey, Registrar (Law), NHRC
8. Smt. Anita Sinha, Joint Secretary (AS), NHRC
9. Dr. M.D.S Tyagi, Joint Director (Research), NHRC
10. Dr. Seemi Azam, Research Officer, NHRC
11. Ms. Sakshi Thapar, Junior Research Consultant, NHRC
12. Ms. Riya Mehra, Junior Research Consultant, NHRC

**Dr. M.D.S Tyagi, Joint Director (Research), NHRC** welcomed all the participants and requested the representatives of Everywomen Treaty, namely **Ms. Meera Khanna, Ms. Jane Hodges and Ms. Linna Shannon**, to share their views on the subject. A presentation was made by them highlighting the rising incidents of gender-based violence across the globe and emphasizing the need and salient features of the proposed treaty to address the issue.

The key points of the submission by the members of Everywomen Treaty are as follows:

A) **Present Scenario:**

- As per WHO (2021) report, 37 percent women in South Asia suffer from violence from their intimate partners, 46 percent of cases are of child marriages in which India alone accounts for one-third of the total number of cases of child marriages.
- There have been many associated issues with respect to violence against women (VAW) such as culture of silence, culture of impunity, high cost of violence against VAW leading to intergenerational poverty.
- Over the time, the issue of violence against women has been addressed at the international level. One of the best practices shared by the UN Women and European Union (EU) in 2019 is 'spotlight initiative' that has resulted in framing 41 laws on gender-based violence.
- Another example, In India, 'Bell Bajao Andolan' was launched to facilitate women to seek help when she is a victim of violence.
- In 2009, the United Nations passed Violence against Women Act which led to drop in the cases of VAW by 67 percent.
- Even in CEDAW, forms of gender-based violence - 'rape' and 'harassment' - are missing. However, in its general recommendation no. 19 and 35, violence against women has been addressed.
- There is enforcement as well as a monetary gap in the UN CEDAW Convention. Hence, the present international laws, conventions or treaties have limitations.

Hence, there is a need to have a new standalone treaty that would directly address the issue of violence against women and the women can exercise her rights directly under one framework.

B) **Key elements of Treaty**

- **Legal Reforms:** There is need for strong laws to ensure that there is no violence against women and girls. Therefore, universally accepted legal laws must be framed to address VAW.
- **Accountability and Training:** The state and non-state actors like judiciary, police, and other enforcement agencies including civil society organizations should be accountable and proper training to these agencies must be provided.
- **Services:** Services like Shelter homes should be built with resilient infrastructure to provide shelter to women and girls who are victims of gender-based violence.
- **Preventive Measures:** Measures taken by the government to prevent gender-based violence.
- **Funding:** At present, \$408 million on an average are spent across the globe to prevent violence against women (VAW). This amount is quite less and hence, to ensure VAW

is prevented, funding needs to be increased.

- Data: Data is required for policy advocacy as well as policy making. Matrix form of data and space reporting will be done to ensure proper implementation of text.
- Universal Periodic Review: This will contain narratives, descriptions and data containing the number of cases and a review report after the implementation of the said Treaty by each nation.

**C) The points raised by Domain Experts are listed below:**

- ❖ In India, many legislations addressing violence against women such as Vishakha Guidelines, Sexual Harassment at the Workplace (Prevention, Prohibition and Redressal) Act, 2013 emerged out of CEDAW. Hence, when CEDAW, and other UN treaties, conventions, etc. addressing VAW is already in place, then the question arises whether there is a need for a new treaty.
- ❖ The ground for having new treaty shouldn't be based merely on new form of emerging violence against women, such as, cyber-crime.
- ❖ There is need to increase jurisprudence of existing conventions/ treaties and its implementation at the ground level needs to be ensured.
- ❖ Whether countries/state parties would be ready for having a new treaty.
- ❖ If the goal is the same, i.e., to ensure violence-free society for women, then instead of bringing a new instrument, focus should be on ensuring that present instruments are sharpened.
- ❖ The cost, time and efforts for bringing every nation at par in favour of the new treaty is a tedious task as many countries would be reluctant for it.

**Shri Surajit Dey, Registrar (Law), NHRC**, agreed to the view that the present international laws have some limitations, and reiterated the Supreme Court Judgments highlighting the relevance of present International laws in jurisprudence. He believed that the good ideas and best practices must be shared with nations to curb violence against women and girls. He further added that instead of a new treaty, a strong judiciary is required.

**The chair, Smt. Jyotika Kalra, Hon'ble Member, NHRC**, in her concluding remarks appreciated the representatives of Everywomen Treaty for this noble cause, the points raised by Domain experts were also appreciated. Member raised a point that there is a difference in a treaty on crime against women and treaty against torture because in case of torture the State itself is violator whereas in case of violence against women, State machinery and legislatures are in place to check violence against women. She informed that the proposal and points raised by experts will be deliberated upon in the Commission and thereafter, a view will be taken by the Commission.

**Smt. Anita Sinha, Joint Secretary, NHRC**, extended the vote of thanks to all the participants for the valuable and fruitful deliberations on a very important issue concerning rights of women.

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