



राष्ट्रीय मानव अधिकार आयोग National Human Rights Commission

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Subject: Modification in the 'Advisory on Rights of Women in the context of COVID-19 Pandemic'

The National Human Rights Commission (NHRC) had constituted a 'Committee of Experts on Impact of Covid-19 Pandemic on Human Rights and Future Response', which included representatives from civil society organizations, independent domain experts and representatives from concerned Union Ministries/Departments, to assess the impact of the pandemic on vulnerable sections of the society, including women, and fulfillment of their rights.

2. Accordingly, the 'Advisory on Rights of Women in the context of COVID-19', was finalized based on the recommendations suggested by the Committee of Experts. The said advisory was issued to the concerned Ministries of the Government of India and to all States/UTs vide letter of even number dated 7th October, 2020. While some stakeholders have welcomed the said advisory of the Commission, others have requested for reconsideration of the part related to 'Sex Workers', pertaining to the paras:

No. III.B.(ii) - *"Sex workers may be recognized as informal workers and be registered so that they are able to get worker benefits"*.

No. III.B.(iv) - *"Migrant sex workers may be included in schemes and benefits for migrant workers"*.

3. The issue was deliberated within the NHRC based on the feedback received from the concerned stakeholders. The core objective of NHRC's advisory qua sex workers is to ensure protection of their right to life and livelihood with dignity from the adverse impact of COVID-19 Pandemic and the resultant lockdown. However, in accordance with the extant provisions under the law, sex workers cannot be categorised as 'informal workers' nor they can be 'registered' as 'sex workers' or 'migrant sex workers'. Therefore, the above mentioned two recommendations given in the said advisory at serial no. III.B.(ii) and III.B.(iv) are modified as under :

III.B.(ii)- *Sex workers, on humanitarian grounds, may be provided the benefits that informal workers are entitled to during the COVID-19 pandemic.*

III.B.(iv)- *Sex workers, who were forced to undertake reverse migration, may be provided the benefits meant for migrants for their survival.*

4. All the concerned authorities are advised to take note of the above modifications made in the advisory under reference. Further, they are requested to send the action taken report on implementation of the advisory for information of the Commission.

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10/11/20
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