

SECOND NATIONAL WOMEN'S CONFERENCE

Andhra Pradesh

Assam

Bihar

Chandigarh

Chhattisgarh

Delhi

Goa

Gujarat

Haryana

Himachal Pradesh

Jharkhand

Karnataka

Kerala

Madhya Pradesh

Maharashtra

Meghalaya

Nagaland

Orissa

Rajasthan

Uttar Pradesh

Uttarakhand

West Bengal

STAKEHOLDERS

meet on

18th - 20th February, 2007

Vishwa Yuvak Kendra, Chanakyapuri, New Delhi

Making the PWDVA Successful

**Implement & Enforce
The Protection of Women
from Domestic Violence Act, 2005
in all States of India**

Narrative Report

National Secretariat PWDVA, 2005

C/o action india



"From words to action"

It is well known that legislation and policies need to be backed by sustained advocacy and enough resources to deliver the results envisaged. Rules and regulations need to be framed and enacted and the challenges of timely and effective implementation and monitoring, also met. This has been reaffirmed by the former UN Secretary General's Study, 'Ending VAW: from words to action', which was launched on 9th October 2006 and followed by adoption by the General Assembly, on 19 December 2006, of an action-oriented resolution on the "Intensification of efforts to eliminate all forms of violence against women" (A/RES/61/143). This gives a new momentum to the work of the UN to address all forms and manifestations of violence against women.

Narrative Report
Second National Women's Conference
18-20th February, 2007

Compiled by
Archana Prasad

Edited by
Gouri Choudhury and Leena

Designed by
Saroj Sager

Proofread by
Nandini Hebbar N.

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Our special thanks also to the members of the Steering Committee, whose support and active participation kept us moving in the right direction at all times. We also thank all of our chairs, speakers and resource persons, whose insightful discussions made it possible for the conference to result in strong recommendations and a clear road map.

We thank our donors for having financially supported the organizing of the event, especially the Global Fund for Women, UNIFEM, Oxfam GB and the Ministry of Women and Child Development, Government of India. Last but not the least, we express our thanks to all staff and consultants of Action India for their continuous involvement and support.

We would like to express our appreciation for the wonderful music created by the Angel Band for the conference. Our sincere thanks to Nandini Hebbar N. for diligently proofreading the complete report.

We end with a hope that the associations and partnerships forged before, at and after the Conference will go a long way towards making our campaign to end domestic violence in India a success.

HISTORICAL BACKGROUND

1980: The Indian Women's Movement breaks the silence on domestic violence and demands legislative reforms. Amendments to the Dowry Prohibition Act were made. Dowry Prohibition Officers not appointed, "dowry murders" continue unabated

1992: The first draft of the "Prevention and Protection of Women against Domestic Violence" is prepared by the Lawyers Collective.

1994: The National Commission for Women takes up the draft bill on domestic violence.

2003: The NDA government brings in a bill on domestic violence that is anti-woman and protects men who hurt women in self-defense or to protect their property. Also, domestic violence defined as an act which is "habitual." This bill sparks intense protests and is referred to a Parliamentary Committee for review. With the change of government the NDA bill dies.

2003-2004: The signature campaign from 8 states collects 2.5 lac voices from the ground to demand an early passage of the Bill.

2005: The UPA Government passes the Protection of Women from Domestic Violence Act (PWDVA). The Act receives presidential assent and enters law books. After the Government of India passed the PWDV Act in October 2005, the task ahead of the women's groups was to see that the Act was notified at the earliest. Keeping this in mind, Action India calls First National Conference on PWDVA in February 2006 to pressurize the government for early action.

2006 (February 21 and 22): Over 300 participants from 23 states of India attended the First National Women's Conference (NWC) on PWDVA, 2005. The national DV Act Forum is formed. A complete report of the First National Women's Conference can be accessed on the UNIFEM Solutions Exchange website at: http://www.solutionexchangeun.net.in/gender/comm_update/res01-110706-15.doc.

2006 (July): A National Secretariat on the PWDVA is established in Delhi C/o Action India to facilitate, coordinate, network and keep the momentum going in regard to the PWDVA.

2006 (26th October): After sustained pressure from women's groups, the rules to the PWDVA are notified and the law comes into force.

19th & 20th February 2007: Stakeholders Meet at the Second National Women's Conference.

National Secretariat on PWDVA, 2005

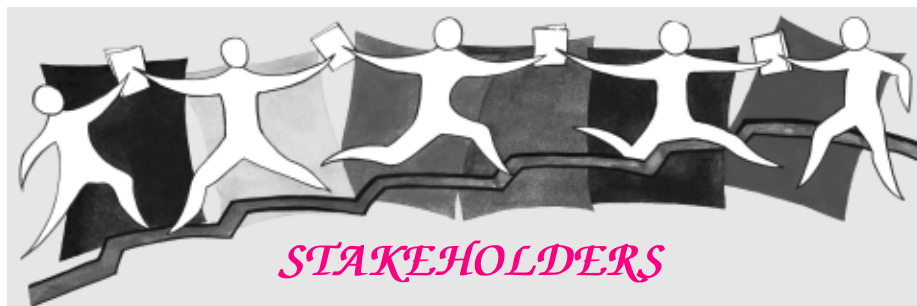
Action India started its work to set up the Secretariat for the DV Act Forum after receiving the mandate from the First National Women's Conference in February 2006. It was with the combined efforts of the National Commission for Women, Lawyers Collective, and the Secretariat, that the Rules were notified and the PWDVA was brought into operation in mid October 2006. The National Secretariat was set up with the overall aim of effective coordination of the campaign to implement the domestic violence law. Now, with the PWDVA coming into force, the new challenge has been to see its effective implementation and ensure that women access and use the law to stop domestic violence.

The Second National Women's Conference (NWC) was held from 18th to 20th February 2007, to deliberate upon and review the implementation of PWDVA in each state after the first four months, and to evolve a common strategy and road map for future action. Activists from 23 states and union territories of India attended this conference. The conference aimed at activating stakeholders and crucial players involved in the implementation of the PWDVA to provide a common platform to bring civil society and government functionaries face to face with each other. At both the conferences, the Indian Women's Movement made it very clear that leaving issues such as implementation and enforcement to the government is not in the interest of women. Our past experiences have shown that we need to build constant pressure, keep constant vigil, and do a close follow up of implementation issues to make the justice system envisaged under the Act responsive to the needs of women.

The Second Conference identified crucial stakeholders for this meeting as the Judiciary, the Protection Officers under the PWDVA, Ministry of Women and Child Development Government of India at the Centre and the departments of Women and Child Development in respective states, National Commission for Women and State Commission for Women, Planning Commission & State Finance ministries, National Legal Aid Services Authorities and State Legal Services Authorities, Police, Political parties and MPs/MLAs, media in all forms, Service Providers, NGOs, state networks, human rights groups, civil society, communities, families and men.

The First NWC was a strategy meeting. The Second NWC was a stakeholders meeting. We gained commitments from individuals responsible under the law for their respective actions and a future road map was laid out for civil society. The participation of judges in great strength made us believe that access to justice delivery mechanisms and persons in power is possible. At the Second NWC, we learnt that collecting information from each state is easy provided we have good partners and committed people working on the ground. Collectively assessing the progress made and identifying hurdles and roadblocks can help this campaign move forward. The Second NWC brought together people from 21 states to create a common vision for the enforcement of the PWDVA in its true spirit and the State reports from different parts of the country presented best practices that were could be replicated by other states.

The Second NWC worked on the premise that no law is perfect and eventually based on judicial and other interpretations, all laws need to evolve and be amended. But, it is too premature for us to talk of this within 4 months of the notification of the law. The day's urgency is to find out ways and means of making the PWDVA work in the present system, so that women can live a life that is dignified and respectable and hence free from all forms of violence in the home. This was the basis of the deliberations at the Conference.



*Victims of violence
(Mother, daughter, wife, sister)
NGO & Women Activist
Trade Unionist*

*Protection Officer
Counsellor
Police
Health & Service Provider*

*Magistrate & Judge
Lawyer
Bureaucrat*