

PRESS RELEASE – 19 December 2002

As women's groups in India, we are horrified by the violence that was unleashed against Muslim communities and in particular on Muslim women in Gujarat from February 27, 2002, onward. We are appalled at the ways in which the instruments of a democratic state are working against the interests of its own citizens, and the ways in which women's bodies are being used as battlegrounds in the struggle over defining India as a Hindu State.

For nine months, we have seen lack of national political will to apply existing laws and redressal mechanisms to ensure justice for the victims. This is further compounded by the fact of continuing violence in the state. An **International Initiative for Justice in Gujarat (IIJ)** was therefore constituted, comprising jurists, activists, lawyers, writers and academics from various parts of the world. Keeping in mind the many reports of independent agencies and statutory bodies, the Panel, which visited Gujarat between 14th and 17th December, investigated the violence – particularly the physical and sexual – inflicted upon women since 27th February 2002 specifically in light of existing international laws, conventions and norms. The Panel has also addressed the complicity of the State in the violence, the lack of effective redressal for the victims and the implications of the recent BJP victory in the state. This panel was not simply a 'fact-finding' mission, but rather to support efforts toward achieving justice for the survivors of these attacks, as well as to support the prevention of future attacks against minorities, particularly women.

The panelists include **Sunila Abeysekara**, Director of *Inform*, Colombo, Sri Lanka, **Rhonda Copelon**, Professor of Law, City University of New York, **Anissa Helie** of *Women Living Under Muslim Laws* Algeria/France, **Gabriela Mischkowski**, Historian and co-founder, *Medica Mondiale*, Germany, **Nira Yuval-Davis**, Professor of Gender and Ethnic Studies at the University of Greenwich, UK, and several other prominent feminists. Members of the Panel visited Ahmedabad, Baroda, and Panchmahals District, and spoke with various affected people, support workers, lawyers, and held confidential meetings with affected women.

The Panel's Interim Report on the situation in Gujarat voiced strong concern that "in spite of the totally inadequate legal and other responses to the violence in Gujarat, the government has continued to deny permission for international scrutiny of the situation...In a pluralist society such as India, ensuring the equal representation and participation of all communities and guaranteeing the rights of women and of minorities are among the most important tests of a genuine democracy. The propagation of fear and hatred among communities is anathema to these principles and is inconsistent with both national and international law." The Report also addressed the similarities and uniqueness of the ways in which sexual violence has been used in cases of religious, ethnic or communal violence in other parts of the world, and stated: "this violence, which reflects a longer and larger genocidal project, in our view constitutes a crime against humanity and satisfies the legal definition of genocide, both of which are crimes of the most serious dimension under international law."

On the basis of their interviews and meetings, the panel has outlined **Urgent Actions to Be Taken** by the state, the national and international community. They have stressed on the restoration of the constitutional rights of the Muslims of India and asserted the need for ensuring the protection of their human rights in accordance with international norms. They have outlined recommendations for the immediate redressal for crimes of sexual violence in accordance with the provisions of the ICC and called for specific measures with regard to the issues of justice, continuing impact of the violence, and the continued marginalization of the Muslims of Gujarat.

The International Initiative for Justice in Gujarat was organized by:

Citizen's Initiative (Ahmedabad), People's Union for Civil Liberties (PUCL) - Shanti Abhiyan (Vadodara), Communalism Combat, Awaaz-E-Niswaan Forum Against Oppression of Women (FAOW) and Stree Sangam (Mumbai), Saheli, Jagori, Sama, and Nirantar (Delhi), Organised Lesbian Alliance for Visibility and Action (OLAVA, Pune), and other women's organizations in India.

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