



India: Impunity for Femicide and Systemic Sexual Violence Against Women

To: The United Nations Commission on the Status of Women (CSW)

Subject: Complaint Regarding India's impunity for Femicide and Systemic Sexual Violence Against Women

Submitted by: Women's Platform for Action International

1. Introduction

The Women's Platform for Action International respectfully submits this complaint to the United Nations Commission on the Status of Women (CSW) concerning the persistent impunity for grave and widespread violations of the human rights of women and girls in India, particularly for the alarming rates of femicide, rape, and institutional neglect in preventing and punishing violence against women.

India is a State Party to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and is therefore obligated to eliminate discrimination in all forms, ensure the protection of women's rights to life, safety, and dignity, and exercise due diligence in preventing, investigating, prosecuting, and punishing acts of violence against women (CEDAW Articles 2, 5, 15, and General Recommendations No. 19 and 35).

However, despite these legal obligations, the scale and brutality of violence against women in India, particularly sexual violence and femicide, continues with rampant impunity for perpetrators, police negligence, and structural barriers to justice.

2. Impunity for Femicide and Systemic Sexual Violence Against Women

India has one of the highest rates of femicide in the world. Moreover, sexual violence remains endemic, and nonetheless obtaining statistics on the same is difficult due to underreporting, victim-blaming, and institutional pressure on women to remain silent.

Examples of patterns of impunity include:

- **Hathras case (2020¹):** A 19-year-old Dalit woman was brutally gang-raped by four upper-caste men in Hathras, Uttar Pradesh on 14 September 2020. She succumbed to her injuries on 29 September. Despite early identification of suspects, police delayed action, and her body was cremated without her family consent, promoting national outrage. This case epitomizes systemic caste and violence against women, the erosion of survivor rights, and state collusion and negligence by forcing the cremation without consent and mishandling the investigation, which are clear violations of women's rights to life, bodily integrity, and due process.

¹ <https://www.bbc.com/news/world-asia-india-64820721>



- **Rape and Murder of a Post-Graduate Doctor, Kolkata (2024)²:** On 9 August 2024, a police volunteer raped and strangled to death a 31-year-old postgraduate trainee doctor at RG Kal Medical College and hospital in Kolkata. Her injuries included a broken thyroid cartilage and evidence of assault. The accused was arrested and sentenced to life, but despite these protests highlighted institutional negligence, inadequate security and political pressure on investigations.
- **Structural Patterns of Dowry Deaths and Femicide³:** India leads the world in dowry-related deaths, with over 8,000 cases per year often resulting in brides being burnt or coerced into suicide within families. These killings disproportionately affect women, often under conditions of domestic abuse or familial coercion, and are routinely under-investigated or misclassified with systemic impunity persisting decades after enactment of protective legislation. Such patterns reflect institutional failure to safeguard women's rights to life, safety and equality, as well as ongoing cultural and legal discrimination based on sex.

These examples are not anomalies but reflect a systemic failure of the Indian state to protect women, rooted in sex-based discrimination, patriarchal norms, and institutionalised impunity. These patterns of violence and neglect constitute violations of:

- **Breach of the Right to Life and Personal Security:** The persistent failure of the State to prevent femicide and violence against women and girls amounts to a direct violation of the right to life and security of a person, as protected under international human rights law, including Article 6 of the International Covenant on Civil and Political Rights (ICCPR).
- **Systemic Discrimination Based on Sex:** The disproportionate targeting of women and the lack of adequate institutional responses reflect entrenched patterns of discrimination, contrary to CEDAW Articles 1, 2 and 15, which require State Parties to ensure equality before the law and eliminate discrimination in all its forms.
- **Denial of Access to Justice and Legal Remedies:** Delayed, biased, or ineffective investigations into cases of rape and femicide deny survivors and victims' families meaningful access to justice, in violation of CEDAW General Recommendation 19 and 33, and the State's obligation to ensure effective legal remedies under international law.
- **Violation of the Prohibition Against Torture and Inhuman or Degrading Treatment:** Survivors often endure re-traumatization through hostile judicial processes, victim-blaming, and social ostracism. These conditions contravene Article 7 of the ICCPR and the Convention Against Torture, as well as CEDAW provisions guaranteeing the right to be free from such treatment.
- **Failure to Exercise Due Diligence:** The State's ongoing failure to prevent, investigate, prosecute, and punish acts of violence against women and girls constitute a breach of

² <https://www.bbc.com/news/articles/c4gxp7dpl5po>

³ <https://exaequo.apem-estudos.org/files/2017-01/n34a04.pdf>



its due diligence obligations under CEDAW General Recommendation 35, reinforcing impunity and exposing women to further harm.

3. Our Call to Action

We call on the Commission on the Status of Women to:

1. Acknowledge the systemic impunity for violence against women in India, especially femicide and sexual violence, as a violation of India's CEDAW obligations.
2. Urge the Indian government to criminalise marital rape, increase protections for victims, and train police and judiciary to conduct investigation and prosecution in a manner that is sensitive to victims.
3. Recommend the creation of an independent national commission to monitor and report on state compliance with anti-violence legislation and access to justice for victims.
4. Encourage international accountability mechanisms, including support for survivor-led human rights litigation.

The Indian state has failed to act with due diligence in the face of a national epidemic of violence against women and girls. The normalisation of impunity, especially when intersecting with caste, constitutes a breach of both domestic and international obligations. We respectfully request that the Commission consider this complaint as a part of its effort to uphold the integrity of the international women's rights system.

We thank the Commission for considering this submission.

Susannah Sjöberg
Secretary General