

Bhutan for his extradition; and, the arrest and incommunicado detention of three activists of the Jammu and Kashmir Liberation Front, by members of the Special Task Force (STF).

The report recalls that in March 1996 the SR sent an urgent appeal on behalf of some 180 Bhutanese refugees who were arrested in West Bengal to which the government replied that apprehension as to their ill-treatment in custody was unwarranted. Additional information received from the source documented cases of beatings with some of the refugees requiring hospitalization.

Violence against women, Special Rapporteur

on: (E/CN.4/1998/54, Sections I.A, II.E)

The report refers to the case of a woman in the Punjab who was detained, raped while in custody, and kept in wrongful confinement for three days. The Special Rapporteur (SR) also referred to the situation in the village of Kunan Poshpor, Kashmir, in which a large number of women stated that they had been raped by soldiers of the Rajputana Rifles.

The SR stated that although India has a strong legal framework for prosecuting cases of rape by security forces — including provisions relating to custodial rape that provide victim-friendly evidentiary procedures — neither investigation nor prosecution by authorities has been adequately pursued; this suggested a lack of political will to prevent, prosecute and punish such violations. The SR also stated that the counter-violence by armed opposition groups in Jammu and Kashmir is equally to be condemned as being in violation of human rights standards. Reference was made to reports on “forced marriages” where unmarried women are abducted, raped, and then forced to become the brides of members of the armed opposition. Such violations are characterized as constituting wartime sexual slavery as well as rape and torture. On custodial violence, the report refers to section 114A of India’s Evidence Act which provides that in cases of, *inter alia*, custodial rape, where the victim claims non-consent and where sexual intercourse has been proved, there arises a rebuttable presumption of non-consent.

Mechanisms and Reports of the Sub-Commission

Traditional practices affecting the health of women and girls, Special Rapporteur on:

(E/CN.4/Sub.2/1998/11, paras. 101–104)

The report cites an article in *Le Monde* (12 May 1998) stating: in the Indian Sub-continent, poverty and ignorance have driven millions of parents to suffocate their female babies or to poison them with extracts of plants; for generations it has been quite common for poor families to deprive their young daughters — but not their small sons — of food and care; for South East Asia as a whole it is estimated that this “sexual genocide” has resulted in the death of some 60 million girls; and this “genocide”, which is not regarded as such locally, does not give rise to general indignation.

The Special Rapporteur (SR) also cited an article in *The International Herald Tribune* (30 March 1998) on the situation of India’s 33 million Hindu widows. The article referred to a Hindu widow suffering “social death”. The report notes that it is customary for Hindu wives to live with the family of their spouse, cut off from any link with their own families. The SR also noted that despite being officially banned, the practice of suttee has survived, with occasional instances of widows who immolate themselves, either voluntarily or under compulsion.



INDONESIA

Date of admission to UN: 28 September 1950; readmitted: 28 September 1966.

TREATIES: RATIFICATIONS AND RESERVATIONS

Land and People: Indonesia has not submitted a core document for use by the treaty bodies.

Discrimination against Women

Signed: 29 July 1980; ratified: 13 September 1984.

Indonesia’s second and third periodic reports were submitted as one document (CEDAW/C/IND/2-3) which was considered at the Committee’s February 1998 session; the fourth periodic report was due 13 October 1997. *Reservations and Declarations:* Paragraph 1 of article 19.

Torture

Signed: 23 October 1985; ratified: 28 October 1998.

Reservations and Declarations: Article 20, paragraphs (1), (2), and (3); Article 30, paragraph (1).

Rights of the Child

Signed: 26 January 1990; ratified: 5 September 1990.

Indonesia’s second periodic report was due 4 October 1997.

Reservations and Declarations: Articles 1, 14, 16, 17, 21, 22 and 29.

REPORTS TO TREATY BODIES

Committee on the Elimination of Discrimination against Women

Indonesia’s second and third periodic reports were submitted as one document (CEDAW/C/IND/2-3, February 1997) which was considered by the Committee at its February 1998 session. The report prepared by the government contains general information on the police and the economic framework, as well as commentary on, *inter alia*: constitutional provisions related to equality and non-discrimination; constraints on equality; institutional developments to support the advancement of women, the functions of the Office of the Minister of State for the