

350 Fifth Avenue, 34<sup>th</sup> Floor  
New York, NY 10118-3299  
Tel: +1-212-290-4700  
Fax: +1-212-736-1300; 917-591-3452

Kenneth Roth, Executive Director

**DEPUTY EXECUTIVE DIRECTORS**

Michele Alexander, *Development and Global Initiatives*  
Nicholas Dawes, *Media*  
Iain Levine, *Program*  
Chuck Lustig, *Operations*  
Bruno Stagno Ugarte, *Advocacy*

Emma Daly, *Communications Director*  
Dinah PoKempner, *General Counsel*  
James Ross, *Legal and Policy Director*

**DIVISION AND PROGRAM DIRECTORS**

Brad Adams, *Asia*  
Maria McFarland Sánchez-Moreno, *United States*  
Alison Parker, *United States*  
Mausi Segun, *Africa*  
José Miguel Vivanco, *Americas*  
Sarah Leah Whitson, *Middle East and North Africa*  
Hugh Williamson, *Europe and Central Asia*

Shantha Rau Barriga, *Disability Rights*  
Peter Bouckaert, *Emergencies*  
Zama Neff, *Children's Rights*  
Richard Dicker, *International Justice*  
Bill Frelick, *Refugees' Rights*  
Arvind Ganesan, *Business and Human Rights*  
Liesl Gernholtz, *Women's Rights*  
Steve Goose, *Arms*  
Diederik Lohman, *Health and Human Rights*  
Marcos Orellana, *Environment and Human Rights*  
Graeme Reid, *Lesbian, Gay, Bisexual, and Transgender Rights*

**ADVOCACY DIRECTORS**

Maria Laura Canineu, *Brazil*  
Louis Charbonneau, *United Nations, New York*  
Kanae Doi, *Japan*  
John Fisher, *United Nations, Geneva*  
Meenakshi Ganguly, *South Asia*  
Bénédicte Jeannerod, *France*  
Lotte Leicht, *European Union*  
Sarah Margon, *Washington, DC*  
David Mepham, *United Kingdom*  
Wenzel Michalski, *Germany*  
Elaine Pearson, *Australia*

**BOARD OF DIRECTORS**

Hassan Elmasry, *Co-Chair*  
Robert Kissane, *Co-Chair*  
Michael Fisch, *Vice-Chair and Treasurer*  
Oki Matsumoto, *Vice-Chair*  
Amy Rao, *Vice-Chair*  
Amy Towers, *Vice-Chair*  
Catherine Zennström, *Vice-Chair*  
Bruce Rabb, *Secretary*  
Karen Herskovitz Ackman  
Akwas Aidoo  
Jorge Castañeda  
George Coelho  
Lawton Fitt  
Leslie Gilbert-Lurie  
Paul Gray  
Caitlin Heising  
Betsy Karel  
David Lakhdir  
Kimberly Marteau Emerson  
Alicia Miñana  
Joan R. Platt  
Neil Rimer  
Shelley Frost Rubin  
Ambassador Robin Sanders  
Jean-Louis Servan-Schreiber  
Sidney Sheinberg  
Bruce Simpson  
Joseph Skrzynski  
Donna Slaight  
Siri Stolt-Nielsen  
Darian W. Swig  
Makoto Takano  
Marie Warburg

February 14, 2018

Mr. Jagat Prakash Nadda  
Minister of Health and Family Welfare  
Government of India  
New Delhi



HRW.org

Re: Sexual violence against women and girls  
with disabilities

Dear Minister Nadda,

I am writing on behalf of Human Rights Watch to inform you of the upcoming release of a report on access to justice for women and girls with disabilities who are victims of sexual violence, and to offer your office an opportunity to respond to our findings.

This report focused on girls and women with disabilities, follows our November 2017 report, "*Everyone Blames Me: Barriers to Justice and Support Services for Sexual Assault Survivors in India*," which examined the challenges women and girls face while trying to seek justice, health care, counselling, and legal aid after they suffer rape or sexual assault.<sup>1</sup>

A key reform to assist survivors of gender-based violence has been the 2014 *Guidelines and Protocols for Medico-legal Care for Survivors/Victims of Sexual Violence* issued by the ministry to standardize healthcare professionals' examination and treatment of sexual assault survivors. The guidelines integrate processes geared to respect women's and children's rights to privacy, dignity, creating a non-threatening environment, and informed consent.

However, since health care in India is the responsibility of state governments, health rights groups say that until now, only nine states have adopted the guidelines.

The Guidelines include requirements for the medical examination of women and girls with disabilities such as providing necessary accommodations (including a "special educator") to take consent and medical histories. Our research suggests, however, that despite

<sup>1</sup> Human Rights Watch, "*Everyone Blames Me: Barriers to Justice and Support Services for Sexual Assault Survivors in India*," November 2017, <https://www.hrw.org/report/2017/11/08/everyone-blames-me/barriers-justice-and-support-services-sexual-assault-survivors>

significant progress, the accommodations needed to support survivors are yet to be properly developed and implemented with requisite trainings and reforms.

Human Rights Watch found that the failure by medical professionals to adequately explain medical tests and procedures and ensure that women and girls with disabilities are comfortable with the process may add to the trauma of sexual violence.

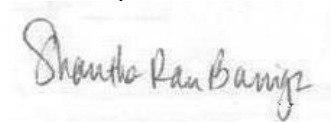
We would like to obtain the ministry's answers to the following questions:

1. What measures has the ministry taken to encourage states to adopt the 2014 *Guidelines and Protocols for Medico-Legal Care for Survivors/ Victims of Sexual Violence* and implement provisions specific to the needs of woman and girls with disabilities? Could you please share specific details of any workshops that you organized or circulars or notices issued toward this goal?
2. What kind of monitoring mechanism has been put in place to ensure the *Guidelines* are properly implemented once adopted by a state?
3. What measures have you taken to train healthcare professionals in the *Guidelines*, including to provide adequate accommodations to women and girls with disabilities?
4. What steps have been taken to ensure that special educators and sign language interpreters are appointed in hospitals and medical centers?
5. What public information measures are taken to ensure that victims of gender-based violence, especially persons with disabilities, know about the *Guidelines*?
6. What measures have you taken to ensure that government hospitals are accessible to women and girls with disabilities?

We will be grateful if you could provide your answers and any additional comments on our findings by March 8, 2018, to give us an opportunity to incorporate them in our report. Please do not hesitate to contact me via email at [barrigs@hrw.org](mailto:barrigs@hrw.org) or phone at +1-212-216-1823.

Thank you for your consideration.

Sincerely,



Shantha Rau Barriga  
Director, Disability Rights  
Human Rights Watch