REPORT

One Day National Seminar

on

Legal Regime relating to Reproductive Rights of Indian Women and Social Reality

11th December, 2021

15th December 2021

The Seminar was opened by Ms Shivani Jadhav by introducing the Cell for Human Rights Activities. She mentionedthe case of K.S. Puttaswamy V Union of India whichgave recognition to the constitutional right of women to make reproductive choices and setting the tone of the Seminar. Dr. Kranti Deshmukh, Principal of Shankarrao Chavan Law College, Pune announced that the college is celebrating Human Rights Week from 10th to 16th December and the Seminar is a part of the same.While extending a warm welcome to the participants and esteemed speakers she elaborated on how reproductive rights are very essential rights and therefore the theme of seminar is contemporary in nature.

Dr. V.S.Elizabeth, Vice–Chancellor and Professor of History Tamil Nadu National Law University was called upon for her Inaugural Address where she talked abouthuman rights with reproductive rights. She said "Reproductive Rights are closely connected with Right to Life, Right to Liberty, Right to equality, Right to privacy, Right to information and education, Right to choose whether to get Marry or have children, Right to decide whether and when to have children, Right to Health Care, Right to Health Technology – Safe & Effective, Right to Representation in community and politics, Right to have protection, Right to development in decisionmaking process, Right to Abortion". She explained all the interlinked rights in detail by giving examples of current and past social scenarios. She asserted "Unless the attitude towards the role of girls or women are changed at home and in society there won't be change in anything" Dr. V.S. Elizabeth concluded by urging that there shall be a strict focuson the health

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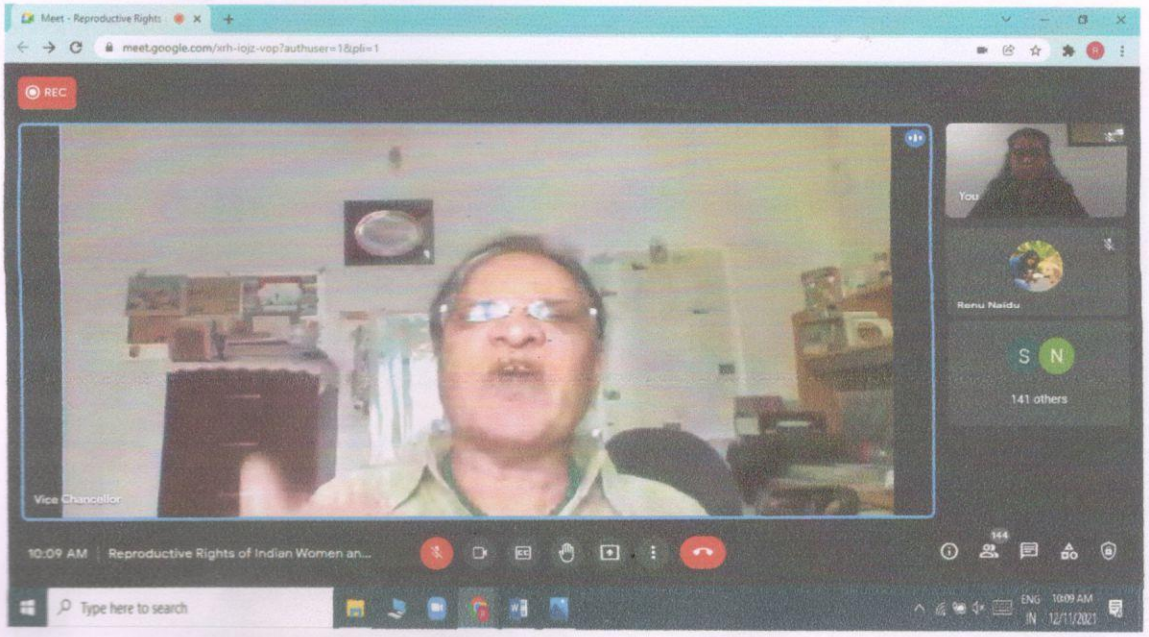
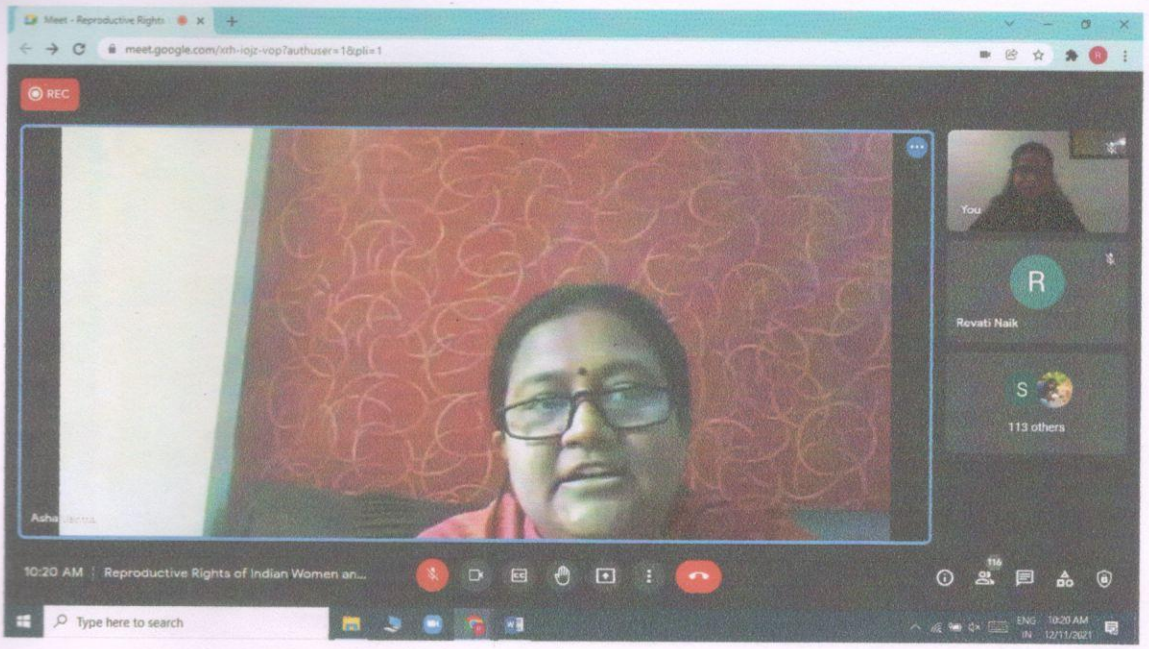
anything" Dr. V.S. Elizabeth concluded by urging that there shall be a strict focuson the health of women who die fulfilling their social roles while they also have right to life. She suggested for creating awareness through campaigning for safe-guarding the life of young women.



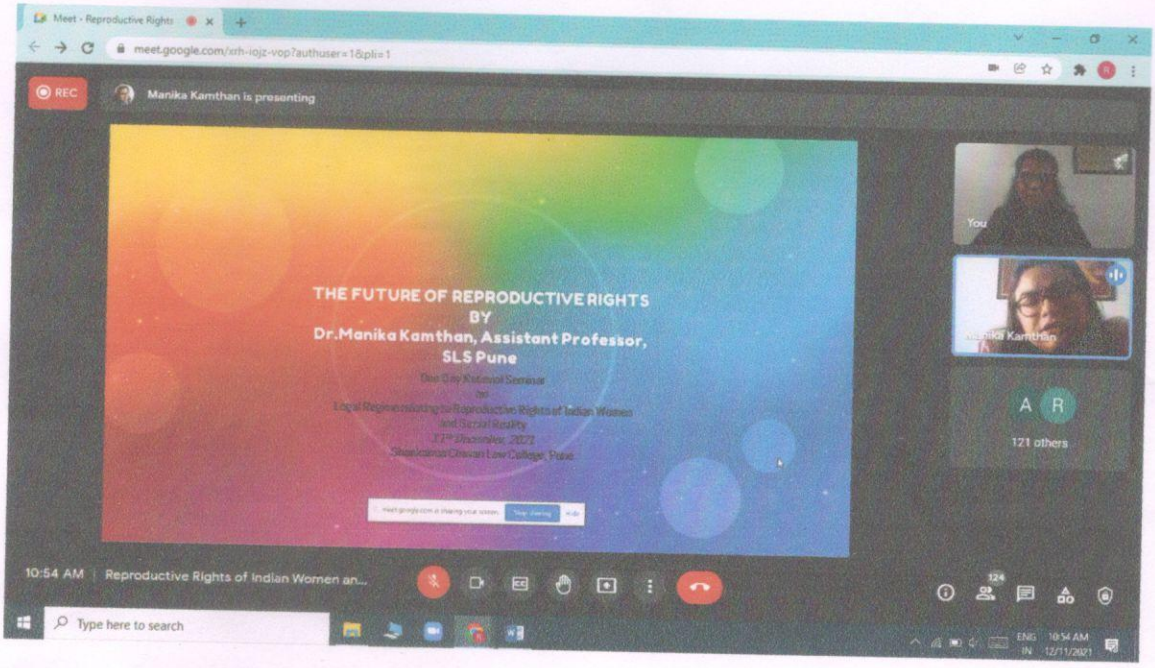
Dr. Asha Verma - Head, Centre for Women and Child Rights and Assistant Professor (Law), Gujarat National Law University spoke on the topic 'Medico Legal Status of Women's Sexual &Reproductive Rights' She began her discourse by stating"Situation even after 75 years of independence is same. Reproductive Rights are understood in India only on the basisof legislations like Registration of Marriage Act, Pre – Conception and Pre – Natal Diagnostic Techniques Act, 1994. These are just selective and there is much more to it" By comparative study of data available worldwide and in India she put forth the real social condition in respect of Reproductive Rights. "The reason for this is lack of health facilities, stigma of unmarried abortions, doctors refusing or asking consent from husband and family, lack of awareness and misinterpreted ethics in courts for gender equality. She referred to the JusticePuttaswamy judgment and said "Judiciary is proactive to protect right of privacy and sanctity rights." She explained reproductive rights in wider aspect by saying that it is not restricted only to the right to reproduce. In the socio-legal aspects women do not have required bodily integrity. She was of the opinion that in addition to the social perspective, the government is also failing to consider women's health. Policy makers should make micro as well as macro policies to control this situations. She brought in front the reality of the society where women are victims of malnutrition and under nutrition despite of government policies and health services beingin

Maternal and sexual health has also been voiced as a concern from time to time She added, "It is a need of changing mind set and separating sexuality from Reproductive Right."She concluded that "There is a short coming in India as law does not accommodate varied aspects and is also silent about unsafe abortion." She suggested maternal care post pregnancy, increased job opportunities in I.T., women's right to choosing to have baby or spacing between baby and many more



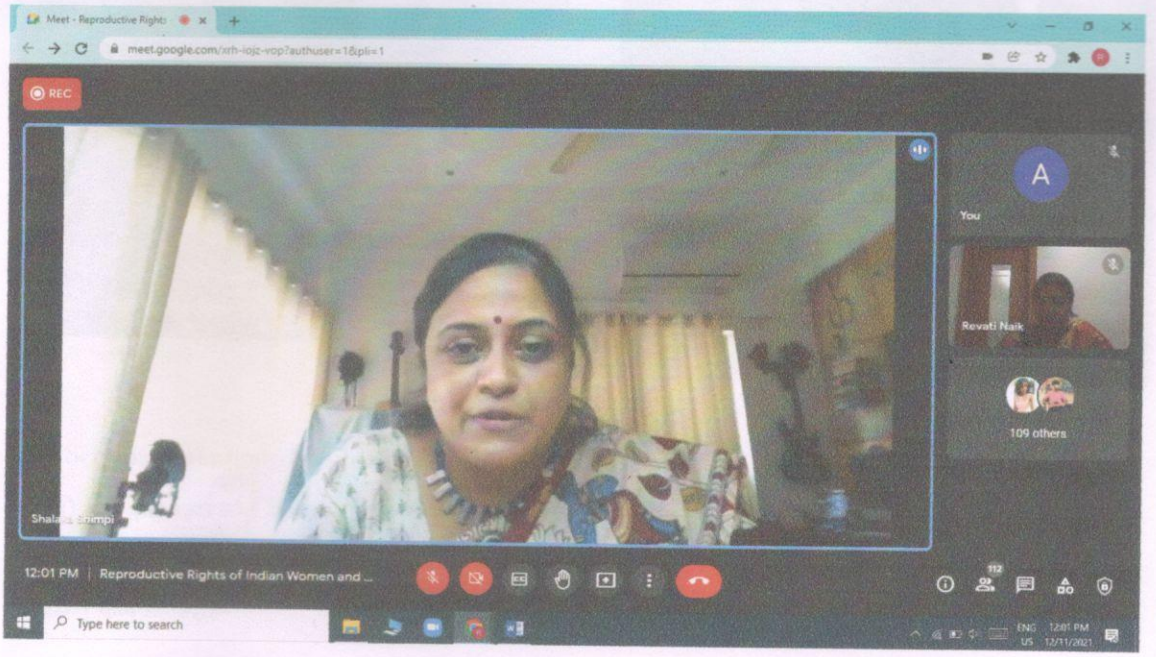
Prof. (Dr.) ManekaKamthan, Assistant Professor, Symbiosis Law School was invited to talk on the topic 'The Future of Reproductive Rights'. Her presentation transitioned from Reproductive Justice to Restrictive Concepts of Reproductive Justice and ended with her views on LGBTQIA + and their reproductive rights. She began her discourse by citing Asian Communities for Reproductive Justice (ACRJ) and the Women's Global Network for Reproductive Rights (1993) "Reproductive Justice is the complete physical, social and economic well-being of women and girls based on the full achievement and protection of women's human rights"She explained the dimensions of LORETTA ROSS, 2006 of theright to have children, right not to have children, the right to parent the children and right to choose birth controloptions such as Midwifery. She explained new approaches under the concept of unbalanced pro choice, COBWEB by explaining – Reproductive health, which deals with service delivery; Reproductive Rights – which addresses legal issues & Reproductive Justice – which focuses on movement building. Prof. (Dr.) ManekaKamtham explained in detail the Reproductive Rights by focusingon LGBTQIA+ community and Right to family under Indian and International Laws. She mentioned legal

framework in India through Article 14, 15 and 21. She also discussed same sex marriage in India by stating various legislations like Surrogacy Regulation Bill, the Assisted Reproductive Technology (Regulation), Bill, 2020. Prof. (Dr.) ManekaKamthan explained Transgender Person (Protection of Rights) Act and what it contains, reproductive health care and justice and also other emerging issues like MTP Amendment Act, 2021, access to safe and easy abortion for rape survivors, victims of incest, menstrual healthcare, sexuality and disability and many more.

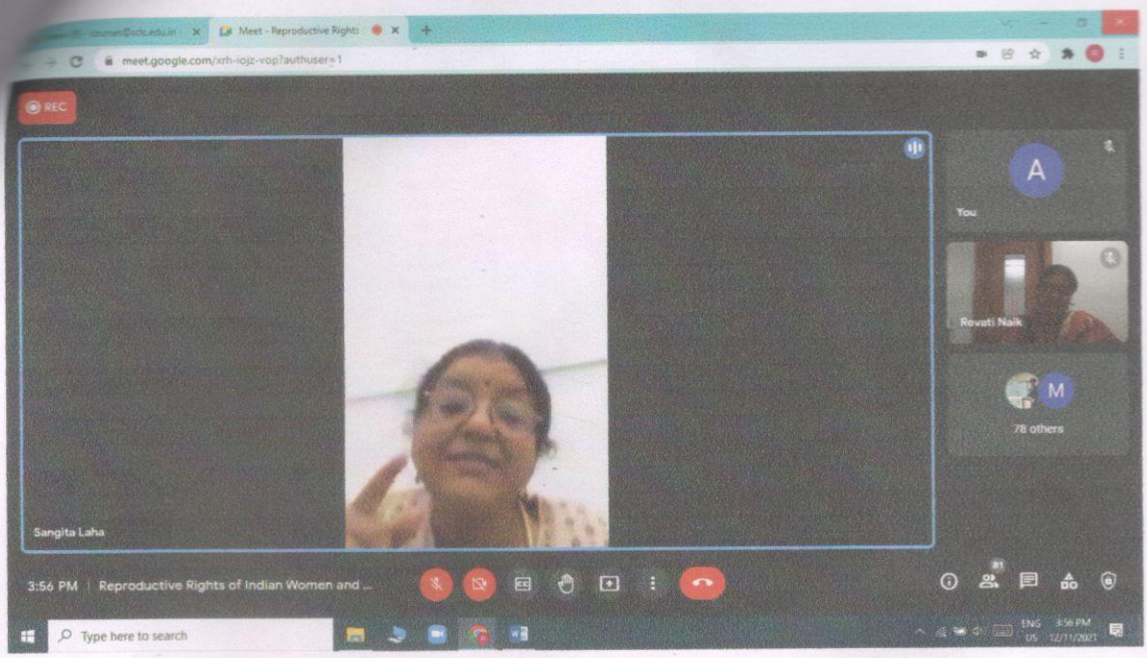


To understand the social reality surrounding reproductive rights Dr.ShalakaShimpi (MD) was invited as a speaker. She is the Founder Director of Cedar Clinics(Gynaec&Obs). She addressed all the participants and panellists by providing insightful working knowledge on the reality of women's reproductive rights from the lens of the medical practitioners in India. She stressed the importance of healthcare for women. While addressing she pointed out that we have women's rights in our country but its implementation, in reality, is far away. Access to health care is an important and basic concept yet the most ignored one. She also highlighted the issues related to routine care, contraception, safe and legal abortions, infertility care. Further, she added that women don't have decision-making authority regarding pregnancy and abortions. Young couples don't use contraception due to a lack of awareness and attitude of society. She talked about MTP Act and shared some of her personal life experiences in the field of medical practice highlighting the harassment faced by medical staff by the family members of the patient especially in cases of pregnancy and abortions. She reflected the impact of COVID-19 vaccination on women's reproductive rights issues by giving an example of our country where some of the pregnant

women were refusing to take the vaccine due to family pressure. The speaker urged everyone to conduct awareness programs for both males and females on reproductive rights and sex education since this is the need of an hour for acknowledgment of these issues.She concluded by saying that women should stand up for their rights and take care of their health. Family support for women in such cases needs to be promoted.



The Seminar concluded with a Valedictory Address by Dr. Sangita Laha, Associate Processor and Dean of Faculty, NUSRL who was welcomed by Dr. Kranti Deshmukh, Principal, Shankarrao Chavan Law College. Dr.Laha initiated her address by stating that human rights treaties & agreements and global movements led to a legal foundation for ending gender discrimination in society. Further, she provided the participants with statistics on the comparison of contraception among rural and urban areas. She also discussed India's standin implementing the laws on women's reproductive rights. She explained the reproductive rights in the third world countriesand left the audience with the questionwhether reproductive rights are only about the right to reproduce or are there are any other issues involved in it?



The Seminar culminated with a vote of thanks proposed by Dr.Revati Naik, Assistant Professor (Law) at Shankarrao Chavan Law College where she aptly quoted GD Anderson:

"Feminism isn't about making women strong. Women are already strong. It's about changing the way the world perceives that strength"

Dr. Kranti Deshmukh
Principal

M.M.M's Shankarrao Chavan Law College * Pune-4 *

Dr.Revati Naik
Faculty In-charge