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# Controversial Indian scheme aims to end baby girl murders

Source: Thomson Reuters Foundation - Tue, 3 Dec 2013 12:00 AM



Author: Nita Bhalla  
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Nurses tend to newborn girls at the Life Line Trust orphanage in Tamil Nadu, India. "Parents are poor farm workers and can't afford girls due to dowry," a child protection officer said. THOMSON REUTERS FOUNDATION/Mansi Thapliyal

SALEM, India, Dec. 3 (Thomson Reuters Foundation) - Other than the brightly painted pink walls, there is little cheer in the sterile, sparsely furnished nursery rooms of the Life Line Trust orphanage.

Wailing newborn baby girls lie in a single row of metal cribs, waving their tiny limbs. Little girls crawl around on the bare, tiled floors, dragging teddy bears. Female toddlers sit on plastic rockers, gazing up at visitors.

These unwanted infant girls in the state of Tamil Nadu in southern India are considered the fortunate ones.

They are India's "Cradle Babies," products of a government project

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that permits parents to give their unwanted baby girls anonymously to the state, saving them from possible death in a region where daughters are seen as a burden and where their murder is a common reality.

"There is a very high incidence of female infanticide in these parts," said A. Devaki, a government child protection officer in the district of Salem, one of the worst-afflicted areas. (In parts of southern India, it is common practice for people to use the initial of their first name together with their surname for identification.)

"Often babies are found in ditches and garbage pits. Some are alive, others are dead. Just last week, we found a newborn baby girl barely breathing in a dustbin at the local bus stand.

She added that a lack of education, the low status of girls and widespread poverty were "the main factors". "Parents are poor farm workers and can't afford girls due to dowry. One girl is OK, but a second or third will likely end up being killed ... That's why we introduced the Cradle Baby Scheme."

#### CRADLE BABIES

Started in 1992, the project runs in dusty towns and mud-and-brick villages in all 32 districts of Tamil Nadu including Salem, Dharmapuri and Madurai. It allows parents to leave their unwanted baby girls in dozens of empty cradles placed in hospitals, welfare centers and government offices.

At the beginning, the parents would secretly leave the babies in the cribs. These days, people are more open and parents simply hand over their babies to social welfare officers. The children are then sent to registered orphanages such as the Life Line Trust where they are put up for adoption.

"The Cradle Baby Scheme is a good thing," said R. Umamangeshwari, 42, as she sat next to her husband, a businessman in the textile industry, with their newly adopted 1-year-old daughter, Janani.

After 10 years of trying for a child, the couple approached the Life Line Trust orphanage and within a year, after government welfare officers had carried out various checks, they were deemed suitable adoptive parents and given custody of Janani.

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| Location: United Kingdom

"There are many infertile couples who want children but then there are others that do not," Umamangeshwari said. "This scheme is helping people. Words can't explain how much joy this little girl gives us."

Since the Cradle Baby programme started more than two decades ago, poverty-stricken parents, as well as single mothers, have abandoned more than 3,700 children, mostly girls.

More than 3,600 of them have been adopted by childless, middle-class couples in Tamil Nadu, government officials said. Infants who are not adopted, often boys and girls who are physically or mentally disabled, are eventually sent to special homes run by the state, the officials added.

But while the project has been praised for potentially saving the lives of thousands of Indian girls, human rights activists have criticized it, accusing authorities of encouraging the abandonment of girls and promoting the low status of women in this largely patriarchal society.

#### MILK LACED WITH POISON

In much of India, and a number of other countries including Pakistan and China, a preference for male children is built into cultural mores.

Palaniamma, 40, was sitting outside her mud-and-thatch home in the village of Krishnapuram, in the Dharmapuri district, recalling how her mother took away her newborn daughter and put her in the Cradle Baby Scheme more than 11 years ago.

"I had three daughters already, so when my fourth was born, my mother took her away, saying the financial cost of another girl was going to be too much for us to bear," she said. Days later, she convinced her family to get her daughter back. The infant is now a schoolgirl. "I am glad I refused to give her up," Palaniamma said. "Whatever difficulties I'll face, I thought, it's better to bring up my own child than desert her."

Activists and government officials say the social and financial pressures associated with dowries are so great that parents have been aborting female fetuses after discovering their gender through ultrasound examinations, despite the fact that the practice is illegal.

A 2011 study in *The Lancet*, a British medical journal, found that up to 12 million Indian girls had been aborted over the past three decades. Other parents kill infants soon after birth. Many girls die from preventable diseases such as pneumonia and diarrhea - sidelined by their parents in favour of their male siblings when it comes to healthcare and nutrition, experts said.

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## Chief Executive– Global Reporting Initiative

Organisation: Global Reporting Initiative | Deadline: 19 April 2014 | Job type: Permanent | Salary: TBD | Location: Netherlands

This has led to alarmingly skewed child gender ratios. The number of girls under six years old has been plummeting for the last five decades. There were only 919 girls to every 1,000 boys in 2011 compared with 976 in 1961, according to the Census of India.

“I had initially thought it was primarily female feticide, even though I suspected that a large number of girls were getting killed after birth,” said Rita Banerji, the founder of the @50millionmissin campaign focused on the declining numbers of females in India.

“But what has come as a shock to even me is that most of the girls that go ‘missing’ do so after birth,” Banerji said. “I think it means that we, India and the world, are looking on as the genocide of a human group continues to escalate unchallenged, and unabated.”

In districts like Salem, communities like the Vanniyar people are known to practice infanticide more than feticide, often because they cannot afford the illegal ultrasound tests that are growing in popularity in many parts of India.

There are no official figures on how many girls have been killed across the state, as the crime is hidden and often supported by the local community. But both government officials and activists say at least one or two cases of babies being abandoned or found dead are reported every month.

In June, local media reported the arrest of a father of four girls in the district of Dharmapuri. He had killed his 22-day-old daughter by feeding her poisoned milk, then burying her corpse in a ditch.

Officials say the Cradle Baby program has been an unparalleled success, improving gender ratios in the districts where the project is active. For example, in 1991, Salem had the lowest number of girls compared with boys in the entire country, with just 849 girls to every 1,000 boys. Two decades on, there are now 916 girls. In Dharmapuri, the figure has risen to 913 from 869.

Rights activists say the improved ratio is largely a result of down to greater awareness and advocacy work, and improved family planning, rather than a result of the project. They say the project has failed to tackle the root causes of female infanticide by promoting the abandonment of girls and allowing parents to shift the responsibility for caring for their daughters to the state. As a result, they say, the killing of baby girls has not stopped.

“The government is legitimizing the dumping of girls,” said M. Shankar, a team leader with the

Development Education and Environment Protection Society, a Dharmapuri-based charity that works on gender rights issues. “They are saying, ‘It’s okay if you don’t want a girl baby. We will take care of it for you.’ Girls are still being killed. Authorities should be working on supporting families which are expecting babies with counseling and immediate financial support so they can look after girls as soon as they’re born.”

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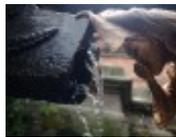


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# India gang rape trial over, yet thousands of victims await justice

Source: Reuters - Tue, 10 Sep 2013 01:21 PM



Author: Nita Bhalla  
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## POTLIGHTS

against women in India



TOPICAL CONTENT



A man peeks into the police vehicle carrying four men, who were found guilty of the fatal gang-rape of a young woman on a bus in New Delhi, as the bus leaves a court in New Delhi September 10, 2013. REUTERS/Adnan Abidi

By Nita Bhalla

NEW DELHI (Thomson Reuters Foundation) - Miles away from India's capital, a mother-of-two who makes a living cobbling shoes, knows nothing about the fatal gang-rape of a young woman in New Delhi and the furious street protests that followed her grisly ordeal on a moving bus.

And she won't have heard about the guilty verdict passed down by a court on Tuesday on four men accused of the assault.

The 49-year-old low-caste woman was herself raped, by four policemen in a village police station in the central state of Madhya

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Pradesh. That was four years ago, and she is still waiting for justice.

"It's taking a long time. I've been to the court so many times, but still I am waiting. Each time, the hearing is delayed and delayed," says the woman, speaking by telephone from Jamwada village in Betul district.

"It's been four years. It is costly and time-consuming to keep going to court, but I want those men who did this to me to get what they deserve. I don't know when that will be or if it will ever happen," said the woman, who cannot be identified.

A special fast-track court took seven months to pronounce a verdict in the Delhi gang rape, a shocking assault that made headlines around the globe and sparked debate in India about an unbridled culture of crimes against women.

But human rights lawyers say the outcry over the Delhi case made it an exception to the rule of a criminal justice system that fails thousands of rape victims in India. For them, the judicial process is archaic, under-resourced, gender-insensitive and painfully slow.

"While we applaud this verdict and the relative speed with which the trial was conducted, we mourn the fact that there are so many survivors out there who are neither getting any kind of media attention, nor are they getting any kind of judicial attention," says Rebecca Mammen John, a Supreme Court lawyer. "As a result, their cases are languishing in courts with no end in sight."

**JUSTICE DELAYED, JUSTICE DENIED**

Police in New Delhi say that only 4 out of 10 rapes are reported, largely because of the deep-rooted conservatism of Indian society, where many victims are scared to come forward for fear of being "shamed" by their family and communities.

Those who do report a rape face numerous challenges in getting attackers put behind bars - dealing with apathetic police, unsympathetic medical examinations and no counselling, shoddy police investigations and weak prosecutions.

One of the biggest obstacles to winning justice for rape victims is the length of the trials. An average case can take a court five to 10 years to reach judgment, legal experts say.

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India has far too few courts, judges and prosecutors for its 1.2 billion people. It has one-fifth of the number of judges per capita that the United States has, and there is a backlog of millions of cases.

There are more than 23,000 rape cases alone pending before the high courts, according to the law ministry. The process is so drawn out that many cases are dropped and the accused acquitted long before all the evidence is heard and a judgment pronounced.

The victims often become tired and disillusioned, unable to spend the time and money required to attend the court hearings, and some just want to get on with their lives. Victims are also sometimes intimidated during lengthy trials by the accused who are, in some cases, granted bail by the court.

As a result, victims can be bullied into accepting illegal "out-of-court" settlements such as a small cash payment. In more extreme instances, the victim's family is pressured into marrying their daughter to the accused. There is no witness protection programme in India.

Shaken by the outrage over the Delhi rape, the government now plans to set up 1,800 fast-track courts across the country to try violent crimes against women, children and the elderly.

But legal experts and women's rights groups say fast-track courts are only part of the solution and broader judicial reforms are required, such as recruitment of more judges and prosecutors as well as substantial investments in establishing more courts.

"This verdict is welcomed but this case should not be an exceptional one due to all the media attention," warned Kavita Krishnan, secretary of the All India Progressive Women's Association, after Tuesday's verdict.

"Rather it should set a standard. It should say that in each and every instance of sexual violence against women in India, there should be delivery of a speedy and fair verdict. It cannot be tokenism. It has to be for all women."

(Additional reporting by Mayank Bhardwaj; Editing by John Chalmers and Ron Popeski)

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# India sex assault case spotlights powerful predators

Source: Thomson Reuters Foundation - Fri, 29 Nov 2013 04:39 AM



Author: Nita Bhalla

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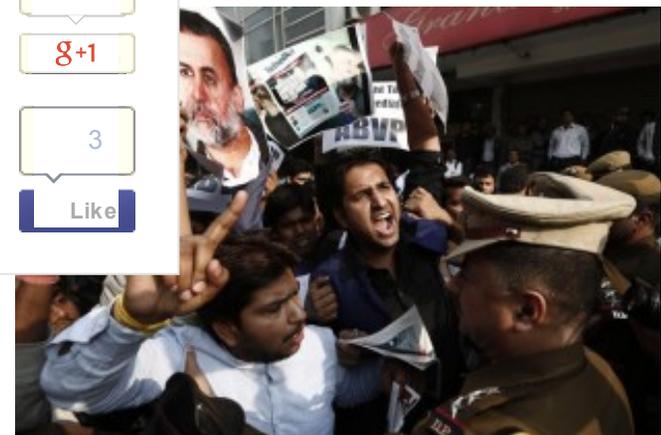
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Indian police investigate editor after sex assault claim

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Activists of the Akhil Bharatiya Vidyarthi Parishad (ABVP), linked to India's main opposition Bharatiya Janata Party (BJP), burn a poster of Tarun Tejpal, editor-in-chief of India's leading investigative magazine, during a protest in New Delhi November 22, 2013. REUTERS/Adnan Abidi

(This is a repeat of an item published on Thursday)

- \* Allegations against editor dominate Indian media
- \* Lawyers say harassment common among social elite
- \* Case seen as a chance to tackle sexual violence at work

By Nita Bhalla

NEW DELHI, Nov 28 (Thomson Reuters Foundation) - The man at the centre of a sexual assault scandal that has whipped India's

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media into a frenzy is no average Joe.

Tarun Tejpal is one of India's most powerful journalists, and accusations that he sexually assaulted a colleague have uncovered what lawyers say is an often buried truth - such violence is common in the highest echelons of society.

An investigation into Tejpal, who denies the accusations, has dominated headlines for eight days as news outlets follow every twist and turn. It comes days after similar accusations were made by an intern against a retired Supreme Court judge.

For Additional Solicitor General Indira Jaising, both cases show how hard it is for women to press complaints against colleagues in the workplace, particularly if they are powerful individuals not used to having their authority challenged.

Yet they also present authorities with a rare opportunity to demonstrate that no one is above the law - that sexual abuse, no matter who it involves, will be dealt with thoroughly and, if proven, properly punished.

"I think sexual harassment in the work place is pervasive in India, yet the culture of silence is huge," Jaising, a senior legal adviser to the Indian government, told the Thomson Reuters Foundation.

"That's why I think that these two cases, both that of the law intern and the Tehelka journalist, are highly significant. If we fail in addressing these two issues, we will have failed the nation."

The allegations against Tejpal, the 50-year-old founder and editor-in-chief of India's leading investigative magazine Tehelka, surfaced on the Internet last week when an email from a 23-year-old female journalist to her superior was leaked.

The woman, whose identity has not been revealed, accused Tejpal of assaulting her on two occasions in a hotel elevator.

The incidents in India's western resort state of Goa occurred during an event bringing together intellectuals, activists and celebrities, including Hollywood actor Robert De Niro.

The journalist did not press charges against Tejpal, but police launched an investigation based on media reports. Tejpal could be booked for outraging the modesty of a woman and rape.

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Tejpal admitted in a leaked email to the magazine's management that an "unfortunate incident" had occurred between himself and the journalist, describing it as "a bad lapse of judgment". But in a more recent statement to a Delhi court he called what happened consensual.

## CASES COME TO LIGHT

In recent months, the media have focused on alleged abuses within the upper echelons of Indian society.

The legal fraternity was shaken after a young lawyer said a retired Supreme Court judge had sexually harassed her in a Delhi hotel room last year while she was an intern.

About three months ago, a Hindu guru popularly known as Asaram Bapu was arrested for sexually molesting an ailing girl child on the pretext of exorcising evil spirits said to be inhabiting her body. Asaram calls the charges fabricated.

But it is the Tejpal case, above all, that has revived the intense debate about violence against women first triggered by the gang rape and murder of a woman on a Delhi bus 11 months ago.

That landmark case, in which the four culprits were sentenced to death, dispelled some of the stigma attached to discussing sex crimes in largely patriarchal India, and emboldened more women to come forward with their accounts.

Police in New Delhi, for example, believe a rise in rape reports is due partly to victims' greater willingness to complain.

There were 1,036 cases of rape reported in the capital this year by August 15, an increase of nearly 2-1/2 times from 433 cases in the corresponding period last year, police data show.

India's parliament passed a law to deal with sexual harassment in the workplace in February, although similar public and private sector guidelines had been in place for more than 16 years.

The new law covers women working in the informal sector and requires employers to set up internal complaints panels, although Jaising said the guidelines had been ignored.

"The two cases - one of the intern and the journalist - we notice a failure of the institutions," she said.

"Neither the Supreme Court of India nor Tehelka reported what clearly constituted cognisable

offences to the police."

But the vast majority of victims are still too scared to speak up, say rights activists, despite the high-profile sexual abuse cases in the headlines.

"Women are not encouraged to come forward," said Rebecca Reichmann Tavares, India representative of UN Women, a grouping set up by the world body to encourage gender equality and empower women.

"They are encouraged to just try to forget it. No one wants to be confronted with the ugly reality and the men who perpetrate these crimes often have power not only over the women they abuse, but over the other people in the workplace."

## SERIOUS ALLEGATIONS

In the case of the retired judge, Stella James, an intern at the time of the alleged incident last December, noted in a blog posting on Nov. 6 that it occurred, ironically, during huge protests over the gang rape case.

"I won't go into the gory details, but suffice it to say that long after I'd left the room, the memory remained, in fact, still remains, with me," James wrote.

She said she had not come forward earlier because she did not want to ruin the judge's reputation, but now felt "a responsibility to ensure that other young girls were not put in a similar situation."

Rebecca Mammen John, a prominent Supreme Court lawyer, said she had heard of many such cases.

"I've heard complaints made by junior lawyers against their seniors, I've heard serious allegations made against judges by interns," she said. "But I also see it in all the other environments where the powerful preside. It's fairly widespread." (Editing by Mike Collett-White and Clarence Fernandez)

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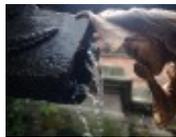


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# Patriarchal police encourage women to report abuse after Delhi gang rape

Source: Thomson Reuters Foundation - Mon, 16 Dec 2013 11:09 AM



Author: Nita Bhalla  
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NEW DELHI (Thomson Reuters Foundation) – For more than three decades, Sabto's husband beat her almost every night with a wooden rod.

Like many victims of domestic violence, the 62-year-old housewife hid the bruises on her battered body and kept quiet, scared of her husband, mistrustful of the police and worried what her neighbours would think.

But one night in March, when he staggered into their single room house in north Delhi's slum colony of Burari and lifted the rod to strike her, the elderly woman rose up and grabbed it, hitting him back with a force she never thought she had.

"He hasn't touched me since," said Sabto as she demonstrated her newly-learnt karate punches outside Burari's run-down community centre.



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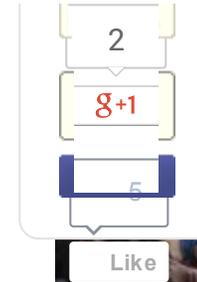
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**As India gang rape trial ends, debate over what has changed**



**India gang rape verdict doesn't bring closure**

TOPICAL CONTENT

“The self-defence classes taught me that I was not weak and that I could end his beatings. My life is peaceful at last,” added the grandmother.

Sabto is one of a small, but growing number of women who are shattering the culture of silence that surrounds crimes such as domestic violence and rape – emboldened by initiatives like self defence classes and community patrols run by Delhi police following the brutal gang rape and murder of a woman a year ago.

The case, which prompted thousands of urban Indians to protest against rising violence against women, highlighted the fact that inaction on the part of India’s male-dominated, unsympathetic and underresourced police force was one of the main reasons why perpetrators acted with a sense of impunity.

One year on, the outcry has forced the 80,000-strong police force in the capital to try to revamp its patriarchal image through a series of measures that are now helping more women speak out about abuses.

## WATERSHED MOMENT

“The December 16 incident was a watershed incident because we specifically analysed the problems faced by women,” said Dharmendra Kumar, Delhi Police’s Special Commissioner for Crime.

“We found, for example, that women felt they were dissuaded to lodge a complaint by police, who would tell them they would be made an object of ridicule ... or that the officer would tone down the gravity of the offence, making it less stringent.”

“We’ve taken steps to ensure that these issues are resolved and through various initiatives we have encouraged women to come forward and lodge their complaints, something they were not doing earlier,” he added.

There were 1,472 rapes reported in the capital this year until November 30 compared with 642 the previous year, said Kumar. The number of complaints of molestation rose to 3,182 from 612 in 2012.

While the increase can be attributed to greater awareness thanks to voracious media reporting of gender crimes and vocal campaigns by women’s rights groups, police say their own initiatives

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are also making a difference.

A law introduced after the Delhi gang rape holds police more accountable – they face up to three years imprisonment if they fail to register sexual offences.

Duty officers and constables on the beat also attend gender sensitisation classes where lawyers and social workers explain the problems faced by victims of sexual assault and senior officers provide information on new legislation aimed at protecting women.

In most of the city's 160 police stations, women's help desks have been set up, staffed around the clock by a female police officer. A toll-free women's helpline – number 1091 – was set up a year ago in the police headquarters and it receives 250 calls a day on average, mainly cases of domestic violence, sexual harassment and molestation.

The police are also recruiting more women, senior officials say, adding that only eight percent of the force are women.

## **WOMEN ON THE BEAT**

In the cramped lanes of Burari colony, women constables, dressed in their khaki salwar-khameez uniforms, walk the beat, moving from door-to-door during the day and chatting with housewives while their husbands are at work.

“They ask us about our problems such as if our husband is beating us or whether our daughters are facing any problems going and coming back from school,” said Reshmi Devi, standing in her doorway.

“It's good. They give us their cell numbers and we can call them anytime. I know some women have now reported domestic violence problems and lodged complaints against their own husbands.”

Shubra Mendiratta from the Delhi Commission for Women said women are becoming aware of a change in police attitudes and feel duty-bound to make complaints.

“We are seeing more women feeling more confident to come forward,” said Mendiratta.

Police vans are deployed in areas around university campuses and outside schools during opening and closing times and constables patrol other vulnerable areas such as public toilets, where sexual assaults are common.



## **FEATURED JOBS**

### **Country Director**

**Organisation:** Save the Children - International  
**| Deadline:** 03 April 2014 **| Job type:** Permanent  
**| Salary:** TBD **| Location:** Yemen

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### **Programme Coordinator - Thomson Reuters Foundation**

**Organisation:** Thomson Reuters Foundation **| Deadline:** 28 March 2014 **| Job type:** Temporary **| Salary:** TBD  
**| Location:** United Kingdom

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### **Chief Executive– Global Reporting Initiative**

**Organisation:** Global Reporting Initiative **| Deadline:** 19 April 2014 **| Job type:** Permanent **| Salary:** TBD  
**| Location:** Netherlands

In government schools and poor, unauthorised colonies and slums, female police officers have begun teaching self defence classes where school girls and housewives aged from six to 60 learn how to counter blows and strike out at attackers.

## **NATIONWIDE PROBLEM**

But while women's rights groups have welcomed such initiatives, they say crimes against women are still widely under-reported and that much more needs to be done – not just in Delhi, but across the country.

For example, investment in training police to investigate gender crimes is desperately needed, they say, adding that rape investigations are often shoddy due to poor collection of evidence, resulting in weak prosecutions, few convictions and lenient jail terms.

They are also calling for legal reforms to ensure speedy justice. Despite the establishment of fast-track courts, India still has far too few courts, judges and prosecutors for its 1.2 billion people and there is a backlog of millions of cases.

In fact, there are more than 23,000 rape cases alone waiting to be tried by high courts, according to the law ministry. The process is so drawn out that many cases are dropped and the accused acquitted long before all the evidence is heard and a judgment pronounced.

While reported rape cases in India rose by more than 50 percent between 2001 and 2012, conviction rates have dropped to 41 percent from 24 percent in the same period, says charity ActionAid India.

“The extremely low conviction rates send out a signal to perpetrators that they are free to act with impunity and can deter women from reporting rape and other crimes of sexual violence,” said Sehjo Singh, ActionAid India's director of programmes and policy.

“If the Indian government is serious when it says it wants to reduce rape and other violent crimes against women, it must ensure that every case of sexual assault is treated with sensitivity and equal importance ... and that there are more convictions.”

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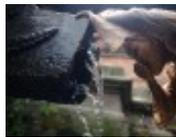


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# India seeks to regulate its booming "rent-a-womb" industry

Source: Thomson Reuters Foundation - Mon, 30 Sep 2013 08:22 AM

Author: Nita Bhalla

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Surrogate mothers (L-R) Daksha, 37, Renuka, 23, and Rajia, 39, pose for a photograph inside a temporary home for surrogates provided by Akanksha IVF centre in Anand town, about 70 km (44 miles) south of the western Indian city of Ahmedabad, August 27, 2013. REUTERS/Mansi Thapliyal

By Nita Bhalla and Mansi Thapliyal

ANAND, India, Sept 30 (Thomson Reuters Foundation) - Dressed in a green surgical gown and cap, British restaurateur Rekha Patel cradled her newborn daughter at the Akanksha clinic in northwestern India as her husband Daniel smiled warmly, peering in through a glass door.

"I can't believe we have our own child at last," said Patel, 42, gazing in wonderment at five-day-old Gabrielle.

"We are really grateful to our surrogate mother who managed to get pregnant and kept our little daughter healthy. She gave nine

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**Country Director**

Organisation: Save the Children - International  
| Deadline: 03 April 2014 | Job type: Permanent  
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months of her life to give us a child."

It is the perfect promotion for India's booming surrogacy industry that sees thousands of infertile couples, many from overseas, hiring the wombs of local women to carry their embryos through to birth.

But a debate over whether the unregulated industry exploits poor women prompted authorities to draft a law that could make it tougher for foreigners seeking babies made in India.

"There is a need to regulate the sector," said Dr. Sudhir Ajja of Surrogacy India, a Mumbai-based fertility bank that has produced 295 surrogate babies - 90 percent for overseas clients and 40 percent for same-sex couples - since it opened in 2007.

"But if the new law tightens rules as suggested by the ministry of home affairs, which disallows surrogacy for same-sex couples and single parents, then it will clearly impact the industry and put off clients coming from overseas."

#### BIRTH OF A MARKET

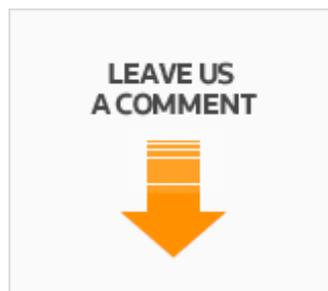
India opened up to commercial surrogacy in 2002. It is among just a handful of countries - including Georgia, Russia, Thailand and Ukraine - and a few U.S. states where women can be paid to carry another's genetic child through a process of in-vitro fertilisation (IVF) and embryo transfer.

The low-cost technology, skilled doctors, scant bureaucracy and a plentiful supply of surrogates have made India a preferred destination for fertility tourism, attracting nationals from Britain, the United States, Australia and Japan, to name a few.

There are no official figures on how large the fertility industry is in India. A U.N.-backed study in July 2012 estimated the surrogacy business at more than \$400 million a year, with over 3,000 fertility clinics across India.

The Akanksha clinic in Anand is the best-known at home and abroad, giving the small town in Gujarat state the reputation as India's "surrogacy capital".

"The surrogates in Anand have become empowered through giving this beautiful gift to others," says Akanksha's owner, IVF specialist Nayana Patel, who shot to fame in 2004 after she helped



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a patient have a baby by using the woman's mother - the child's grandmother - as a surrogate.

"With the money, they are able to buy a house, educate their children and even start a small business. These are things they could only dream of before. It's a win-win situation."

Patel, who appeared on U.S. celebrity Oprah Winfrey's talk show in 2007, has produced more than 500 surrogate babies - two-thirds of them for foreigners and people of Indian origin living in over 30 countries.

Charging couples like Rekha and Daniel an average of \$25,000 to \$30,000, a fraction of the cost in the United States, Patel pays her surrogates around 400,000 rupees (\$6,500).

For 33-year-old Naina Patel, who gave birth to Gabrielle, the compensation outweighs the downside. The wife of an auto-rickshaw driver with three daughters of her own, she had to live in a hostel for nine months with 60 other surrogates so the clinic could monitor her health.

Like most surrogates, she kept her pregnancy a secret due to the social stigma in India's conservative society.

"I was happy to do it but it was not really out of choice because we needed the money," she said in a hospital bed as she recovered from the Caesarean operation for Gabrielle's birth.

"BABY FACTORIES"

India's surrogacy industry is vilified by women's rights groups who say fertility clinics are nothing more than "baby factories" for the rich. In the absence of regulation, they say many poor and uneducated women are lured by agents, hired by clinics, into signing contracts they do not fully understand.

In May last year, surrogate mother Premila Vaghela, 30, died days after delivering a child for an American couple at a clinic in Gujarat. It was recorded as an "accidental death" by police.

A recent government-funded study of 100 surrogate mothers in Delhi and Mumbai found there was "no fixed rule" related to compensation and no insurance for post-delivery healthcare. It cited cases where surrogates were implanted with embryos multiple times to raise the chances of success.

"In most of these cases, the surrogate mothers are being exploited," said Ranjana Kumari, director of the Centre for Social Research that conducted the study.

Moves to introduce a law - the Assisted Reproductive Technologies Bill (ART) - to protect surrogates, the children and the commissioning parents is long overdue, Kumari said.

Revised visa requirements introduced in July have already resulted in foreign same-sex couples and individuals being prohibited from surrogacy in India. The ART bill, expected to come before parliament next year, will tighten things further.

Under the current draft, all fertility clinics must be registered and monitored by a regulatory authority. Surrogates must be between 21 and 35 years old, they will be provided with insurance and notarised contracts must be signed between the women and the commissioning parents.

"Legislation should be there so that this wonderful procedure can be supervised and it is being done by the right people for the right people," said Akanksha's Patel.

"But more bureaucracy will make it difficult for everyone. It will not only mean less commissioning parents from overseas but it will also impact surrogates, who will lose out on the only chance they have to change their lives for the better." (Editing by John O'Callaghan and Ron Popeski)

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