



General Assembly

Distr.: General
15 June 2021

English only

Human Rights Council

Forty-seventh session

21 June–9 July 2021

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by Association Mauritanienne pour la promotion du droit, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[27 May 2021]

* Issued as received, in the language(s) of submission only.



Gang Rape of 45-year-old COVID infected Woman by three employees of a private Hospital in India

With the entrenched patriarchal standards in place and the significant barriers to access justice, it is far from implausible that the justice and police system is persistently failing women and girls in India, consequently allowing such heinous crimes of rape, sexual assault and gender-based violence to be left untreated. It is estimated that 99% of sexual violence cases are still unreported. The humiliation, the lack of victim protection, police reluctance and corruption and the degrading methods of examination that follows from reporting, has ultimately made justice seem unattainable and unachievable for girls and women in India. The handling of cases and reparations can vary significantly from state to state - in which shaming in court rooms would not be considered uncommon. This is only worse for the marginalised who suffer from poverty, lower ranking in the caste system, minority religious groups and disabilities. My organization draw your attention on an incident, on 16 May 2021 A 45-year-old COVID infected woman, who was allegedly gang raped by three employees of a private hospital in Patna and she died. The deceased woman's daughter claimed that her mother was admitted to the Paras HMRI Hospital in Patna.

"She had symptoms of Covid-19 and hence we had admitted her to the Paras HMRI Hospital. Her health condition was good though. She had walked into the hospital on May 15," the daughter said. "My mother was sexually assaulted by three persons inside the hospital ICU on May 16. She had informed me about the incident. Since then her health condition deteriorated. I spoke to my relatives and the women's wing of the Jan Adhikar Party (JAP) about the incident," the deceased woman's daughter said. A Complain registered against three employees but Police and Hospital administration took no any action against the employees. As per Doctor on May 16 evening, the patient had become restless and was not maintaining proper saturation on high flow oxygen. The doctors decided to put her on CPAP support. The patient was very restless and was still not maintaining proper saturation, thus a group of clinicians decided to put her on mechanical invasive ventilation. "The patient after being put on ventilation did not show signs of recovery and her vitals and other parameters kept deteriorating. The poor prognosis of the patient was explained to the next of kin on several occasions. Unfortunately, the patient lost her battle with COVID on the morning of May 19."

One of the fundamental foundations of the UN Charter rests on the basis of gender equality and the Indian Constitution grants equality for women - they stress the importance of protecting and preserving rights for women. How can we continue to be idle when India's women and girls are consistently being "victim-blamed and shamed" for simply acting on their human right through the use of the law for crimes against them.

We look forward to a positive response from the Office of the UN High Commissioner for Human Rights (OHCHR) and the Special Rapporteurs (SR) on the situation of human rights defenders and on violence against women, its causes and consequences, Special Rapporteurs (SR) on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and on the situation of human rights defenders.

LE CONSEIL UNIVERSEL DES DROIT DE L'HOMME – FRANCE, NGO(s) without consultative status, also share the views expressed in this statement.