

## IMPACT OF NIRBHAYA CASE ON INDIA

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### ABSTRACT

*There was a hilarious violent protests across the territory of India against the heart taking incident where a young girl was brutally ganged raped in the moving bus in our capital city Delhi. Large number of people of various ages come out on the streets of the capital with the anger in the eye against the apathy of the police and the government. The protest touched the height and it became the matter of concern to the political authority that how a movement can spread so much. This paper will reflects the impact of the case on India.*

KEYWORD: Gang Rape, Protests.

## MECHANISM AND PROCEDURE OF WTO DISPUTE SETTLEMENT SYSTEM

### ABSTRACT

*WTO Dispute Settlement System is a judicial body constituted during the Uruguay Round of multilateral trade negotiations. The speedy and timely resolution of international trade conflicts is necessary to prevent the detrimental consequences arise due to these conflicts. This paper tries to look at mechanism and procedural aspects of WTO Dispute Settlement System to check its effectiveness to avoid retaliation among the disputant WTO member nations.*

Keywords: WTO, Dispute Settlement System.

### INTRODUCTION

The World Trade Organization (WTO) is an international trade organization known for its enforceable dispute resolution procedure. One of the principle functions of WTO is resolution of international trade disputes. The disputes may arise between the member nations of WTO whenever there is violation of agreement or commitment in the WTO. However, the WTO has an international mechanism to deal with these cases with the help of Dispute Settlement System(DSS).The process of DSS issues rulings on disputes over the WTO members according to their right and obligations which may subject to be reviewed by a standing Appellate Body (AB) of DSS. The decisions delivered by the AB are final and binding, respected by the parties to the disputes. Since its incorporation in 1995, the WTO DSS has resolved number of cases relating to trade disputes because of which it recognized as a ‘crown jewel’ of the world trade system.[1]

However, this dispute settlement mechanism of WTO is going through crisis because the WTOmembers are failing to update the rulebook containing the rules of dispute settlement. Also, the US officials have restricted the appointments of AB members to obligate the WTO members to negotiate the new rules. Given this background, it is pertinent to check whether, the process of WTO dispute resolution is being affected by inspite of the objective of promptness of WTO’s DSS in resolving international trade conflicts.[2]

## MECHANISM AND PROCEDURE OF WTO DISPUTE SETTLEMENT SYSTEM

The WTO is an international organization regulating international trade relations between the nations. It performs two significant functions - Legislative and Judicial. The legislative function is referred to the role of the WTO as a forum to deal with trade agreements. The judicial function is

## INTRODUCTION

Delhi being the capital city of India has the highest number of sex crimes among all the countries of India. According to the police report there are several cases of rapes popped up in every hour of the day. The tolerance towards the crime was reaching its height and the incident of nirbhaya erupted like the volcano. 16 December was one of that day when a brutal act of gang rape was committed against the innocent young girl. She be the strongest girl did not gave up till her last breath. With this there happen large number of protests at many place of capital like at Raisina Hill, Rajpath, New Delhi and India Gate. Hundreds and Hundreds of the protestor clashed with the police and the force units. The protest was happening all the around the country the woman come out and protesting against the incident that has took place on 16<sup>th</sup> Dec. the news of the incident is not only floated on the news channel but also to the social media.[1]

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### LEGAL IMPACT

The first in the line is the Criminal Law Amendment Act of 2013 where amendment was demanded by the woman for making stricter rape laws which was not there for several years. There was such a huge protest was going on that the authorities cannot take their feet back for passing of an ordinance by the president of the India. The new law has come up in which the ambit of definition of the rape was extended and the new law also considered sec 354 of Indian penal code once again and there was a debate held on the age of the juvenile who was involve in the brutal act and finally the juvenile was convicted for 3 years.[2]

### SOCIAL IMPACT

The Nirbhaya Case has left great impact on the minds of the youth, the youth become more conscious about the happening that is happening every day and night in the city. The protest shakes the country and made youth aware about the incidents. Dalit woman who are always been the targets of the rape by the man of the upper caste specifically in the rural area also became aware and the stricter laws also helped a lot in all the areas. The movement became the public discussion and the views of the general public on the women's issues got changed.[3]

## CONCLUSION

In our country India woman are considered as a goddess and they are being worshipped then how such brutality can be done to the goddess. How can a man be so inhumane that they do not even think before doing such brutal crime. The woman is at the equal footing as that of man. For them there are significant changes were being made in both the legislative as well as in the structural of the society. The tragic death of Nirbhaya has taken away everyone's heart and her boldness will be appreciated forever and her memory will live on.

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