

## **Know which are the 10 Foreign Laws that India should Emulate**

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Laws of India have been legislated in all the areas wherever possible however, there are some areas where legislature needs to reach or the legislation calls for amendment in consonance with contemporary needs of India. Notwithstanding the fact that there are things where laws of states differ, here are ten laws that India can emulate taking an example from other countries in the World.

### **1. Rape Laws**

Gender Neutral rape laws are something that is into consideration since long time now. Assault against men has increased as much as rights to women in India are conferred. Michigan in United States has been able to implement gender neutral rape laws. It defines sexual assault with keeping the criteria of graveness of the offence committed. It does not show any person or group of persons as victim to the the offence. Victims are encouraged to get support of different victim organization and report their cases which have lead to higher conviction rates.

Sweden, a country where gender equality is said to be at its best as compared to other nations, has developed an emergency centre for male rape victims in a hospital in Stockholm.

These actions are something that even Indian society calls for owing to the reason that these laws are been not only used as well as misused.

### **2. Gender Equality Ombudsman**

Sweden has an ombudsman to fight discrimination and protect individual right and opportunities for everyone. It is responsible to review situations all over the country and ensure that equality is met.

India, where patriarchy runs in our blood, men are said or preferred to ace there professional and occupational skills whereas their counterparts are expected to ace the skills required to take care of them. An example of the same could be a recent viral advertisement quoting “Kaise khaoege unke haath ki rotian jab paida hi nhi hone doge batiyan.” Touching a gender sensitive issue;

female feticide it just simply told the circuit of Indian ladies to live in. Hence, Gender equality ombudsman is needed in India as well.

### **3. Marital Rape**

When two people are tied into a marital relationship, they are said to be 'life partners' which indeed gives them equal rights. No one partner should be submissive under the other. Hence, marital rape should be a part of criminal penal law in India.

Sweden, Brazil, Malaysia and France have laws against marital rape which indeed should be adopted by India.

### **4. Human trafficking**

United States of America has formulated a law against human trafficking and prohibits trafficking into following categories:

- a. Sex trafficking
- b. Labor trafficking

Sex trafficking includes the act of recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purposes of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act. Labor trafficking, on the other hand includes the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purposes of subjection to involuntary servitude, peonage, debt bondage, or slavery.

The punishment for the offence in India is still at 7 years of imprisonment, which, as per needs of India, should be extended to life imprisonment as provided in The trafficking of Persons( prevention, prohibition and rehabilitation) bill of 2017.

### **5. Third Gender Recognition**

The fact that now a days we get to chose our gender between male, female and others in due to the recognition of third gender by Supreme Court in the case of NALSA v. Union of India

however, legislative measures still lack in India. Where Transgenders (protection of rights) bill does not take a shape of act enforcement of these rights shall not possible.

M Any countries all over the world have been successful in enforcing legislative measure to protect rights of third gender. These countries include Japan, United Kingdom, France, Argentina and more.

## **6.Labor laws**

With rise of the corporate culture especially in the metropolitan area, it is pertinent to bring in the law which limits the time limit for everybody working notwithstanding the profession of a person. This is what France has done, no person works after 6 pm in evening. The idea is to provide with the minimum rest that a human body needs and not getting into stressed position.

In today's scenario where India is facing stress and depression at an increasing rate, fixing the similar time limit would indeed be beneficial for the people.

## **7. Child Labor**

Child labor is absolutely banned in Germany whereas in India, we are still left with the provision of a child working for family needs. The fact that a child may extend his help to his parents in daily needs is different from one working to earn living for himself and his family.

Stringent actions against child labor is what the nation needs in this point of time. It is imperative that a child gets to enjoy his childhood by playing and developing his body physically as well as mentally rather than working and earning. This may lead him to stressful situations and hamper his mental strength.

## **8. Reservation**

The core idea of providing reservation is that to provide opportunities to those class(es) of population who did not previously did not get equal opportunities which, ideally were to reach to them. However, reservation system in India is based on caste(s) irrespective of the needs of today's Indian society.

Affirmative Action Plan is what India needs. Today, if an ethnic group takes all the streets in order to obtain reservation in government jobs and educational institutions in United States of America, it would not be granted the same in order to maintain equality.

### **9. Qualification of ministers**

Ministers of the country as well as states must have some experience or qualification in working and heading the ministry in certain manner. Taking an example of Canada, every minister of state possesses atleast minimum professional qualification for heading the ministry.

Therefore, apart from setting an age limit, education should be made a criteria for qualification of ministers.

### **10. Mandatory Voting**

Independence to choose representative among various candidates is the centric point of a democracy. Australia makes It mandatory for the citizens to vote owing to which turn out of voters is 95% whereas in India, the largest democracy, turn out remains much less.

This mandatory voting system would fasten the democracy and would come up with the most favorable return.