



ASIAN CENTRE FOR HUMAN RIGHTS

Dedicated to promotion and protection of human rights in Asia

ACHR has Special Consultative Status with the United Nations Economic and Social Council

[ACHR serves as the Secretariat of the Peoples Forum for UPR in India]

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Embargoed for: 28 May 2012

India's 2012 UPR examination:

No commitment on enhancing human rights but a mountain to climb

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I. Executive summary

On 24th May 2012, the United Nations Human Right Council reviewed India's human rights record during the 13th session of the Universal Periodic Review (UPR) in Geneva, Switzerland. This was India's second review under the UPR.

During the UPR examination of India in 2008, only 18 recommendations were made to India. Though India submitted its Action Taken Report, apart from extending standing invitation to the Special Procedures mandate holders, other recommendations remained unimplemented.

During the UPR examination on 24th May 2012, over 80 recommendations (depending on the how the Secretariat of the UN Human Rights Council collates) were made. As India failed to commit even to enhance the legal framework for protection of human rights in its Concluding Remarks, the UPR process will face increasingly questions about its effectiveness despite positive recommendations from all the member States irrespective of the regional grouping.

This report briefly provides information about the questions raised at the UPR session, the recommendations made by the member States from all the Regional Groups of the United Nations, analyses the responses of the Government of India and impact of the UPR on India.

Suhas Chakma
Director

II. India needs no UN help!

While introducing the National Report, Head of the Indian delegation, Attorney General Mr G E Vahanvati discarded the role of the UN by stating that India has self-correcting mechanisms in place. In its presentation, India by and large stuck to its 22 page National Report which was lettered with constitutional provisions and success stories but failed to highlight human rights problems.

It took the delegation of Laos to recommend India to continue cooperation with the United Nations and international organizations to overcome the remaining challenges in the country.

III. Issues raised and recommendations made at 2012 UPR: Beyond the Western Group

While Sudan, Uzbekistan, Bangladesh and Philippines had no recommendations for India, a number of issues were raised by the members States from all the five regional groups and specific recommendations were made.

The summary of the key recommendations made are given below:

1. Domestic anti-Torture Law/ ratification of CAT

- Ratify the CAT (Sweden, UK, Spain USA, Austria, Czech Republic, Botswana, Portugal, Italy, Iraq, Indonesia, Timor –Leste, Australia, France, Costa Rica, Maldives, South Korea, Switzerland, Canada)
- Ratify the optional protocol to CAT (UK)
- Receive the SR on Torture (Switzerland, Canada)
- Inform about the current status of ratification of CAT (Turkey)
- Bring a new Prevention of Torture Bill taking into full consideration the recommendations/ suggestions made by the select committee and adopt robust domestic legislation (Timor –Leste, UK)
- Accelerate its domestic procedures for ratification of the CAT including passing of the Prevention of Torture Bill in its parliament (South Korea)
- provide additional information on measures taken by the Supreme Court to toughen up standards in the fight against torture (Kyrgyzstan)

2. Ratify Convention on Enforced Disappearances and its Optional protocol (Spain, Uruguay, Argentina, Austria, France, Portugal and Iraq)

3. Ratify Rome Statute of International Criminal Court (Spain, Uruguay, Austria and Slovakia)

4. Invite UN Special Rapporteur on Torture (Switzerland and Hungary) and accept requests from SRs to visit the country (Belgium and Iraq)

- 5. Abolition or a moratorium on death penalty** (Switzerland, Spain, United Kingdom, Turkey, Argentina, Belgium, France, Chile, Slovakia, Norway; Italy and Ireland)
- 6. Ratify the ILO Conventions:**
 - ILO Convention No. 138 and 182 concerning child labour (Sweden and Uruguay)
 - ILO Conventions 138,182,169,155 & 173 Hungary, Ghana, Portugal; Norway; Ireland, Iraq)
- 7. Rights of children**
 - Ratify Optional Protocols to the CRC, improving mechanisms and resources for implementation of the existing national legislations and by demonstrating higher conviction rates for crimes against children such as child sexual exploitation, child labour, child forced labour and child trafficking (Canada)
 - Take measures to eliminate child marriage (Switzerland, Bahrain)
 - Protect children from exploitation (South Africa)
 - Combat sexual offences involving minors (Algeria)
 - Eliminate child labour (Angola, Ireland, Germany and Norway)
 - prioritize efforts to ensure children with disabilities afford the same level of education as other children under RTE (Australia)
 - Ensure timely registration of all births (Holy See)
 - Ensure right to education for all (Greece, Senegal, Qatar, Iran, Indonesia and Mexico), right of both boys and girls to quality education (Ecuador)
 - Ensure free and compulsory primary education and ratification of the Third Optional Protocol to the CRC (Slovakia)
 - Improve the enjoyment of the basic human rights of its people especially children(Singapore)

- Sensitise and train medical professional on the criminal nature of the pre-natal sex selection with a view to ensuring stringent enforcement of the legal prohibition of such practice, corporal punishment of children (Liechtenstein)
- Ban child labour for children from age 6-14 and set up of Child Rights commission in all states (Ireland)
- Consider ratifying the Optional Protocol to the Third UNCRC and communication procedures (Slovakia)

8. Women rights

- Withdraw reservation to Article 16 India CEDAW (Sweden, Finland, Republic of Korea)
- Ratify the Optional Protocol to the CEDAW Convention (Costa Rica, South Korea and Timor –Leste)
- Amend the Special Marriage Act to give equal rights to property (Slovenia)
- Inform about status of the Bill for prevention of women against sexual harassment at workplace (Venezuela and Ukraine)
- End all forms of discrimination against women (Trinidad and Tobago and Egypt)
- Ratify Optional Protocol to CEDAW and pass 108th Constitutional Amendment bill which seeks to reserve seats for women in the Lower House and the state legislative assemblies(Netherlands and Timor –Leste)
- Eliminate traditional practices which discriminate against women particularly child marriages (Holy See and Chile)
- Enact comprehensive reforms to address sexual violence and all forms of violence against women including honour crimes, child marriage, female feticide and female infanticide(Canada)
- Improve the enjoyment of the basic human rights of its people especially women (Singapore)

- Re-examine the budget and social laws taking into account gender issues (Morocco)
- Adopt comprehensive legislation to combat all forms of gender based violence against women and children (Luxemburg, Liechtenstein, Kyrgyzstan, Kuwait and Iran)
- Remedy the limitations in the definition of rape and medical forensic procedures adopted for rape cases (Canada)
- Take necessary legislative civilian and criminal measures to provide appropriate protection to women and girls and children who are affected with sexual disease (Mexico)
- Ensure gender equality and prevent any discrimination (Slovenia, Turkey, Bahrain, Chad and Ireland)
- Enact comprehensive anti-discriminatory legislation and to ensure that there are adequate means of redress (Ireland)
- Allow women to participate with equal footing with men (Qatar).

9. Protection/rehabilitation to victims of trafficking (USA, UAE, Ukraine, Belarus) and invite the UN Special Rapporteur on Trafficking in persons (Holy See, Paraguay and Iran)

10. Security forces and human rights violations

- Examine the Armed Forces Special Powers Act (Switzerland, France and Slovakia)
- Annual review of AFSPA (France)
- Adopt the negotiated amendments to it that it would address accountability of the security personnel, the regulation concerning detention as well as victim's right to appeal in accordance with international standards (Slovakia)
- End impunity to security forces (USA)

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- Reform the law enforcement bodies (Russia)
 - Strengthen control over the police forces (Iraq)
 - Guarantee effective access to justice where human rights have been violated by security forces with regard to the use of torture and impartial, effective investigation (Thailand, Spain)
 - Improve the judicial system (Russia)
 - Sensitize the armed forces towards human rights (Thailand, Malaysia)

12. Prevention of racial violence against caste, dalits and minorities: Holy See

13. Protection of SC/STs:

- Ensure effective implementation of Prevention of Atrocities Act (USA, Germany)
- Monitor and verify the effectiveness of and speedy implementation in quota programme in the area of education and employment, special police and special court for effective implementation of protection of Civil Rights Act and Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act and work of the National Commission for Scheduled Castes (Japan)

14. Human rights in school curriculum:

- Introduce human rights in school curriculum (Sri Lanka, Japan)

15. Adopt the National Human Rights Action Plan (Spain)

16. Remove the restrictions on Internet Freedom (Sweden)

17. Take measures for poverty alleviation (South Africa, Venezuela, Bhutan, Singapore, Saudi Arabia, Myanmar, Mexico, Kuwait and Iran)

- Ensure food security (Saudi Arabia and Iran)

18. Minorities

- Ensure freedom of religion and protection of religious minorities including repeal of the anti-conversion laws (USA, Austria, Holy See, Germany, Netherlands; Italy, Iran)
- Adopt Communal and Targeted Violence Bill (Germany)

19. Address corruption: USA and Russia

20. Human Rights Defenders

- Safeguard the rights of NGOs: UK, Czech Republic, Canada, Norway and USA)
- Enact law on the protection HRDs with particular focus on those working on minority rights, SCs and STs (Czech Republic)
- Ensuring greater civil society participation from all regions and all sections as has been done for drafting India's 2012 National Report for UPR (Canada)

21. Strengthen and ensure independence of NHRIs (UK and Turkey)

- Put in place appropriate monitoring mechanisms of HR implementation to ensure that intended objectives are well achieved (Ghana)
- Consider adhering to the second optional protocol to the International Covenant on Civil and Political Rights (Portugal)

22. Health, sanitation, nutrition and drinking water:

- Ensure health services to all in the line of production of medicine in India (Uruguay)
- Provide every possible support to assist national project for rural health to increase nutrition and improve public health and strengthen the relationship between health and the indicators of rural health such as sanitation, personal hygiene and provisions of clean drinking water (UAE)

- Enhance access to basic social services such as health and education especially to the marginalized sections of the society (Bhutan)
- Redouble efforts in the fields of education and health (Senegal)
- Improve the level of public health (Saudi Arabia)
- Accelerate the sanitation coverage and access to safe and sustainable drinking water in rural areas (Myanmar)
- Allocate more resources in sectors that provide basic services such as health (Luxemburg, Malaysia)
- Carry out its efforts in environmental and health policies (Iran)
- Ensure implementation of NRHM (Honduras)
- Take measures to reduce maternal and child mortality (Austria, Belgium, Honduras, Finland, Egypt, Norway)
- Take measures to address endemic malnutrition (Luxemburg)

23. Address the special needs of the persons with disability/special needs (Ukraine, Ghana and Senegal)

24. Protect the journalists (Austria)

25. Refugee rights: Ratify UN Convention relating to refugees (Ghana)

26. Right to work:

- Ensure proper implementation of the NREGA (Greece)
- Allocate more resources in employment opportunities (Malaysia)

27. Allocation of resources for vulnerable groups

- Provide more resources for enjoyment of economic and social rights especially in favour of vulnerable groups like women, children, poor people and minorities (Vietnam)

28. Sexual orientation

- Take measures to address violence directed towards persons based on their sexual orientation especially relating to employment (Canada)

29. Rural and Urban Divide

- Address the inequities based on rural-urban divide and gender imbalance (Botswana)
- Continues its efforts and action in promoting social security and labour policies (Iran)

IV. India's limited and misleading response at the UPR

In its reply at the first session and the second session, Indian delegation replied only those relating to the status of the Communal Violence Bill, prosecution of the security forces, refugees, human rights education, the Right to Information Act, torture, restrictions on internet, NREGA, children with disabilities, HIV, human rights defenders and the Foreign Contribution Regulation Act, the Armed Forces Special Powers Act, National Action Plan on Human Rights, child labour, domestic violence, marriage and women's equal right to property, socio economic caste census, sanitation and safe drinking water and India's reservation on the Optional Protocol to the CEDAW.

The responses of the Indian delegation were evasive and misleading.

On the question of impunity, India stuck to its National Report which stated that "since January, 1994 until December, 2011, out of 1,429 complaints of human rights excesses received against the personnel of Army and Central Para Military Forces, 1,412 have been investigated and 1,332 found false. In 80 cases, where the complaints were found genuine, stringent punishment has been imposed. 17 cases are under investigation". This does not reflect the intensity of human rights violations that saw the killing of North East India and Jammu and Kashmir.

India was not only evasive on the question of prosecution of the security forces but also combating caste violence. About 13 countries raised questions on caste discrimination including the need for strengthening the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. Attorney General Vahanvati did not directly answer questions relating to caste discrimination but in his final

remarks Vahanvati stated that *“India is an ancient country with strong social traditions. Some of these traditions may now be out of tune with modern values. They have to change. But in a democracy, these can only be done in an inclusive manner involving all through persuasion, education, and development. We are conscious of the need for change and promoting it through legislation and social awareness.”* The statement was disappointing as it did not reflect the fact that the Central government had to convene the State Home Ministers’ Conference on Effective Implementation of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act held in New Delhi on April 17, 2012 on the non-implementation of the PoA reflected from high pendency and low conviction rate of the cases.

Just the way coalition political compulsion has become the excuse of the Government at national level, at the UN the Government of India sought to hide itself on its inability to speculate on parliamentary process and federalism on enactment of pro human rights laws. While that is true of the Women’s Reservation Bill and Communal and Targeted Violence Bill, with respect to the Prevention of Torture Bill, the Ministry of Home Affairs simply failed to introduce the Bill despite an all party Parliamentary Select Committee submitting the draft in December 2010.

Indian delegation also misled the UN on internet freedom. India’s delegation stated that that the current restrictions imposed by the Information Technology Act deals with normally accepted restrictions on “cyber security and removal of contents illegal like child pornography”. While child pornography will put all into defensive position, the Information Technology (Intermediaries Guidelines) Rules, 2011 notified on 11 April 2011 are not exactly about imposing normally acceptable restrictions but private censorship through the service providers. The Swedish delegation raised specific questions on the Information Technology (Intermediaries Guidelines) Rules, 2011.

V. Issues missed at the UPR

The Attorney General in his concluding remarks reiterated that “whenever we have problems we have acknowledged them and faced them squarely, and never denied their existence”.

This was not the case with respect to the conflict situations. The NHRC had already rubbed in the knuckles India’s report to the UN Committee on the Rights of the Child that "India does not face either international or non international armed conflict situations" despite imposition of the Armed Forces Special Powers

Act in Jammu & Kashmir and the North-Eastern States to deal with “terrorism and armed insurgency”.

Regrettably, there was no specific question relating to violence in India manifested in armed conflicts in 21 out of 28 States. Throughout the examination, India appeared to be a land of peace and not “India: Million Mutinies Now” as described by V S Naipal much before the Maoists multiplied the armed conflicts in mainland India. In all these conflicts, women have been victims of multiple violations but not a single question was raised on violence against women in conflict situations.

VI. Will UPR have any impact?

Sadly, on 24th May 2012, India was still being asked to implement the recommendations made in 2008: extend invitation to the UN Special Rapporteur on Torture, ratify the Convention Against Torture which cannot happen unless the Government of India introduces the Bill in the parliament, ratify the UN Convention Against Enforced Disappearances etc.

Only Sweden and Slovakia specifically stated that India failed to implement the recommendations made in 2008 UPR. The trend is not encouraging.

“India is committed to protect and promote human rights of its citizens” asserted Mr Vahanvati in his final remarks. If that is the case, why is the delay in having national laws to address human rights violations?

Annexure I: Region-wise recommendations of the members States

1. Asia

Bahrain

- Redouble efforts to ensure gender equality and prevent any discrimination; and
- Protect children from exploitation and give them every opportunity to grow up in healthy atmosphere, dignity and freedom.

Bhutan

- Further strengthen efforts India tackling poverty and enhancing access to basic social services such as health and education especially to the marginalized sections of the society.

Indonesia

- Accelerate ratification process of the UN Convention Against Torture (CAT); and
- Increase coordination and effective manner in order to guarantee the smooth implementation of the Act (RTE). It is also imperative to ensure the provisions of infrastructure and teaching/learning facilities particularly in remote areas.

Iran

- Continue legal efforts in the protection of women and children rights as well as to improve measures to prevent violence women, girls and members of religious minorities;
- Accelerate efforts to combat human trafficking;
- Carry out efforts in environmental and health policies and to enforce legislative measures on food security;

- Continue measures in order to increase opportunities for consultation and child rights issues with relevant stakeholders; and
- Continue efforts and action in promoting social security and labour policies.

Iraq

- Continue efforts to implement the Convention Against Torture and to accede to the optional protocol, as well as Convention of Enforced Disappearances and accede to Convention 169 and 189 of the ILO;
- Accept visit requested by Special Rapporteurs; and
- Strengthen control over the police forces.

Japan

- Monitor and verify the effectiveness of and speedy implementation in quota programme in the area of education and employment, special police and special court for effective implementation of protection of Civil Rights Act and Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act and work of the National Commission for Scheduled Castes; and
- Strengthen the human rights training aiming at teachers in order to eliminate discriminatory treatment of children of specific caste as well as appropriately follow up the result of the training that has occurred thus far.

Kuwait

- Continue the efforts to eradicate poverty and improve living conditions; and
- Improve women's empowerment and emancipation ensuring them to have greater role in society.

Kyrgyzstan

- Provide additional information on measures taken by the Supreme Court to toughen up standards in the fight against torture; and
- Adopts comprehensive legislation to combat all forms of gender based violence against women and children.

Laos

- Continue to cooperate with the United Nations and international organizations and share good experience and practice to overcome the remaining challenge in the country.

Malaysia

- Intensify efforts in providing capacity building and training programmes on human rights for law enforcement officers as well as judicial and legal officials in the rural areas; and
- Allocate more resources in sectors that provide basic services such as health, education and employment opportunities.

Maldives

- Prioritise the review and implementation of the Prevention against Torture Bill ensuring that it complies with the UNCAT; and
- Ratify the UNCAT as soon as possible.

Myanmar

- Further strengthen the efforts on poverty eradication paying special attention to the rural population; and
- Further accelerate the sanitation coverage and access to safe and sustainable drinking water in rural areas.

Nepal

- Continue working on the welfare of women and children.

Qatar

- Continue efforts in educational sphere for all children; and
- Allow women to participate with equal footing with men.

Saudi Arabia

- Continue s effort into improving the level of public health in the country so as to attain yet better results in the area of health and access to health; and
- Strategy be introduce to promote food security which on an even higher level.

Singapore

- Continue to advance the progress already underway on poverty eradication; and
- Improve the enjoyment of the basic human rights of the people especially women and children.

South Korea

- Withdraw reservations to CEDAW and consider signing and ratify its optional protocol; and
- Accelerate domestic procedures for ratification of the Convention against Torture including passing of the Prevention of Torture Bill in the parliament.

Sri Lanka

- Continue with action to include human rights India school curriculum.

Thailand

- Continue such efforts particularly (i) ensuring effective implementation of relevant laws and measures to ensure proper and active coordination among line ministries, national and state governments; (ii) collection of

data to encompass gender, religion , status, region and (iii) increase sensitization and reducing discriminatory attitude among law enforcement officers to the human rights education and training; and

- Promote equal access for justice for all including (i) reducing backlog and delay administration of cases in courts (ii) provide more legal aid to the poor and marginalized, and (iii) increasing the use of alternative measures to the pre-trial detention.

Timor –Leste

- Bring a new Prevention of Torture Bill taking into full consideration the recommendations/suggestions made by the select committee, and take further action towards ratification of CAT;
- Ratify Optional Protocol to CEDAW; and
- Expedite efforts to pass 108th Constitutional Amendment bill which seeks to reserve a significant number of seats for women and the Lower House and the State Legislative Assemblies.

UAE

- Assess to what extent the mechanisms put forward by India in order to confront the crimes of trafficking in persons were effective to put an end to these crimes in reality; and
- Provide every possible support to assist national project for rural health to increase nutrition and improve public health and strengthen the relationship between health and the indicators of rural health such as sanitation, personal hygiene and provisions of clean drinking water.

Vietnam

- Intensify efforts and measures to consolidate national mechanism of human rights; and

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- Provide more resources for enjoyment of economic and social rights especially in favour of vulnerable groups like women, children, poor people and minorities.

2. African Group

Algeria

- Continue the plan launched India 2011 for eradication of slums; and
- Combat sexual offences involving minors.

Angola

- Eliminate child labour.

Botswana

- Address the inequities based on rural-urban divide and gender imbalance; and
- Ratify the Convention against Torture.

Chad

- Continue the efforts to bridge gaps in eliminate discrimination.

Egypt

- Take further efforts towards addressing challenge of maternal and child mortality;
- Increase further coordination among relevant national authorities and human rights institutions; and
- Eliminate discrimination against women including through awareness raising and continuous strengthening of the relevant legal and institutional framework.

Ghana

- Put in place appropriate monitoring mechanisms of human rights implementation to ensure that intended objectives are well achieved;

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- Expedite the drawing of legislation and replace the Persons with Disabilities Act;
 - Ratify the UN Convention relating to refugees and stateless people; and
 - Ratify ILO convention 138,182,169,155 and173.

Morocco

- Re-examine the budget and social laws taking into account gender issues.

Senegal

- Redouble efforts in the field of education and health; and
- Ensure better protection of persons with disability.

South Africa

- Inform about the strategies and measures put India place to deal with the challenges posed by terrorism while also protecting human rights and additional deployment of military which could serve as a model to others; and
- Continue to strengthen poverty alleviation strategy as well as child protection strategy particularly against the exploitation of children.

3. Western European and Others Group (WEOG)

Australia

- Prioritize efforts to ensure children with disabilities afford the same level of education as other children under RTE; and
- Ratify CAT and ensure prevention of torture bill is fully consistent with the CAT including its definition of torture.

Austria

- Ratify the Convention for Protection of all persons from Enforced Disappearances, UN CAT and Rome Statute;
- Take legislative actions to ensure every persons' right to freely choose one's religion in line with the Indian constitution and effectively swiftly prosecute acts of violence against religious minorities;
- Ensure safe working environment for journalists and take proactive measures to address the issue of impunity, and particular and swift and independent investigations, and
- Take further practical steps to reduce the high level of maternal and child mortality inter alia through better access to maternal health services.

Belgium

- Accept requests from SRs to visit the country;
- Take measures India intends to bring significant improvement India maternal health and the health of young children and to put comprehensive and liable statistics; and
- Continue moratorium on capital punishment.

Canada

- Strengthen protection of children's rights by improving mechanisms and resources for implementation of the existing national legislations and by demonstrating higher conviction rates for crimes against children such as child sexual exploitation, child labour, child forced labour and child trafficking;
- Enact comprehensive reforms to address sexual violence and all forms of violence against women including honour crimes, child marriage, female feticide and female infanticide;

- Remedy the limitations India the definition of rape and medical forensic procedures adopted for rape cases;
- Take measures to address violence directed towards persons based on their sexual orientation especially relating to employment;
- Increase protection of the Human Rights Defenders;
- Encourage passage of the Prevention of Torture Bill and to allow visit of the Special Rapporteur on Torture; and
- Ensuring greater civil society participation from all regions and all sections as has been done for drafting India's 2012 National Report for UPR.

Finland

- Take measures to ensure all women without discrimination access to adequate obstetric delivery services and sexual and reproduction health services including safe abortion and gender sensitive contraceptive services; and
- Remove reservations to Article 16 of the Convention on the Elimination of Discrimination Against Women.

France

- Maintain effective moratorium on executions and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights in order to bring about a definite evolution to death penalty;
- Ratify as soon as possible the Convention Against Enforced Disappearances and Convention Against Torture and adopt legislation to that effect in the domestic law;
- Create an Annual Review of the Armed Forces Special Powers Act in order to gradually reduce its scope; and

- Establish effective legal proceedings making it possible to prosecute the security personnel who have committed human rights violations.

Germany

- Effectively implement the existing legislations on child labour in line with India's International obligations and strengthen the judicial powers of National Commission for Protection of Child Rights;
- Taken adequate measures to guarantee and monitor the effective implementation of Prevention of Atrocities Act providing legal means for an increased protection of vulnerable groups like the Dalits including the access to legal remedies for affected persons;
- Adopt the Communal and Targeted Violence Bill addressing issues such as accountability of civil servants, standards of compensation for victims, elements of command responsibilities; and
- Reconsider laws and bills on religious conversion in several Indian states in the light of freedom of religion and belief in order to avoid use of vague and broad terminologies and discriminatory provisions.

Greece

- Continue to effort to spread in the country the type rural growth as envisaged in the NREGA; and
- Further promote children's right to education.

Holy See

- Strengthen the Federal Government's effort to warranty freedom of religion to everyone;
- Continue to promote right to equal opportunity;
- Take measures to prevent racial violence against caste, Dalits and minorities;

- Ensure timely registration of all births;
- Continue to promote the right of women in the choice of marriage and equality; and
- Implement monitoring mechanisms to stop people trafficking.

Ireland

- Extend the minimum age to 18 years for any form of labour that prevent children from accessing full education;
- Ban all forms of child labours for children from age 6-14 and ratify the ILO Convention 138 and 182;
- Set up the Child Rights Commission in all states;
- Enact comprehensive anti-discriminatory legislation and to ensure that there are adequate means of redress; and
- Establish moratorium on execution with a view to abolishing death penalty.

Italy

- Adopt a de jure moratorium with a view to abolishing death penalty;
- Ratify the UN Convention Against Torture and relevant protocols; and
- Abolishing anti-conversion laws and grant access to justice to victims of religious violence and discrimination.

Liechtenstein

- Strictly enforce the legal provisions prohibiting harmful and discriminatory practices that violates the rights of women and girls and that it undertake effective public education measures including awareness raising programmes with a sign to eliminate gender based

prejudices, traditional practices and provisions of personal status laws that are harmful and discriminatory to women and girls;

- Intensify efforts to sensitise and train medical professional on the criminal nature of the pre-natal sex selection with a view to ensuring stringent enforcement of the legal prohibition of such practice; and
- Introduce and enforce legislation to prohibit corporal punishment of children in all settings.

Netherlands

- Re-consider current local legislations on freedom of religions that uses vague or broad terminology and discriminatory provisions and impeach the possibility for conversion of faith those who wish to do so; and
- Adopt those pending bills that are aimed at empowering of women including the women reservation bill and the amendments to the Panchayati Raj Act.

Norway

- Strengthen effort to improve maternal health and acts to effectively balance skewed sex ratio among children including by combating female infanticide;
- Fully integrate gender perspective in the follow up of the UPR;
- Amend the Child Labour Act to ban child labour and to sign and ratify ILO Convention No. 138 and 182;
- Make the de facto moratorium into a prominent one with a view to abolish death penalty; and
- Implement the recommendations made by the Special Repporteur on HRD following her visit to India in 2011 with particular emphasis and recommendations that concerns defenders of women and children rights, defenders of the rights of Dalit and Adivasis and right to information activists.

Portugal

- Continue to take judicial as well as policy measures to combat child labour and ratify ILO No. 138 and 182;
- Consider adhering to the second optional protocol to the International Covenant on Civil and Political Rights; and
- Sign optional protocol to ICESCR, CAT and subsequent optional protocols and ratify the convention on Enforced Disappearances.

Spain

- Ratify CAT and the Optional protocol to International Convention for the Protection of all persons from enforced disappearance;
- Ratify ICC Statute;
- Respect the defacto moratorium on the capital punishment;
- Guarantee effective access to justice where human rights have been violated by security forces with regard to the use of torture;
- Draw up and establishing a National Human Rights Action Plan which will cover access to education and health including aspects of sexual and reproductive health as well as concrete provisions to eliminate violence against women; and
- Adopt the recommendations of the SR on HRD and the necessary measures to recognize protection and guaranteeing that violations of human rights can be very speedily, effectively and impartially investigated.

Sweden

- Ratify the UNCAT and ILO Convention No. 38 and 182 concerning child labour;

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- Remove the vagueness of the criteria for restriction severely limit the freedom of expression on the internet under the Information Technology Rules 2011; and
 - Withdraw reservation to Article 16 India CEDAW and by ensuring access to information and counseling as set out in India's National Population Policy.

Switzerland

- Concerned about the proposed Anti-Torture Bill not being in line with the standards on prevention of torture, speed up ratification of CAT, and to receive the SR on Torture;
- Put an official moratorium and to take measures necessary to abolish the same;
- Take effective measures to dissuade children from marrying and to protect fundamental rights of children; and
- Examine the Armed Forces Special Powers Act in the lines with India's obligations under the ICCPR.

Turkey

- Encourage India to strengthen the mandate of NHRC to address greater variety of human rights issues and to accelerate work on the protection of the rights of children and women in particular; and
- Sign second optional protocol to ICCPR aiming at abolition of death penalty.

United Kingdom

- Maintain defacto moratorium on death penalty;

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- Continue to safeguard the rights of the legitimate NGOs to operate without undue restrictions;
 - Decriminalize homosexuality in line with the Delhi High Court judgement;
 - Expedite the ratification of CAT and its optional protocol and adopt robust domestic legislation; and
 - Implement 2011 ICC recommendations to ensure high standards of independence of the India's NHRIs.

United States of America

- Ensure that laws are fully and consistently enforced, provide adequate protection to members of religious minorities, Scheduled Tribes and Adivasi groups as well as women trafficking victims;
- Strengthen the process of ensuring independent and timely investigation mechanism to address corruption and provide for facilitating transparency and accountability India the process; and
- Ratify CAT and end impunity for security forces accused of committing human rights violations.

4. Eastern European Group

Belarus

- Continue efforts to further step up trafficking India persons; and
- Invite the SR on Trafficking in Persons to visit the country.

Czech Republic

- Expedite the ratification of the Convention Against Torture;

- Consider signing the ratification of the Optional Protocol to the CEDAW Convention; and
- Enact a law on the protection Human Rights Defenders with emphasis on defenders facing greater risks including those working on minority rights and the rights of the Scheduled Castes and Scheduled Tribes.

Hungary

- Invite Special Rapporteur on torture whose request to visit has been pending for years be allowed to visit India; and
- Ratify ILO Convention No.138 and 182 and elaborate a timeline ratification and implementation of the ILO Conventions.

Russia

- Continue efforts to improve the judicial system and reforming the law enforcement bodies; and
- Reduce crime and corruption.

Slovakia

- Abolish the capital punishment and commute the existing death sentences to life imprisonment term;
- Repeal the AFSPA or adopt the negotiated amendments to it that it would address accountability of the security personnel, the regulation concerning detention as well as victim's right to appeal in accordance with international standards;
- Reinforce efforts in provisions of free and compulsory primary education;
- Ratify the Rome Statute of the International Criminal Court including its agreement on privileges and immunities; and

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- Consider ratifying the Optional Protocol to the Third UNCRC and communication procedures.

Slovenia

- Recommend that India amend the Special Marriage Act before the next review;
- Implement Treaty Bodies recommendations and develop a National Action Plan to eliminate all forms of discrimination; and
- Ensure that every household enjoys the right to adequate housing.

Ukraine

- Reinforce efforts to protect and rehabilitation of victims of trafficking; and
- Ensure rights of persons with disabilities as well as adoption of certain legal Acts for their equal opportunities.

5. Latin American and Caribbean Group (GRULAC)

Argentina

- Study the possibility of removing the death penalty from legal regime;
- Consider the possibility of discrimination on sexual orientation; and
- Ratify Convention for protection of all persons against Enforced Disappearances.

Chile

- Abolish death penalty; and

- Further strengthen the measures to eliminate traditional practices which discriminate against women particularly child marriages.

Costa Rica

- Take necessary measures to ensure that the existing national legislations against torture, cruel, inhuman and degrading treatment incorporates the highest international standards; and
- Consider signing and ratifying the Second Optional Protocol to the UN Convention on the Elimination of Discrimination Against Women.

Ecuador

- Continue to apply policies in a non-discriminatory and inclusive manner and guaranty quality education to all boys and girls in the country.

Honduras

- Implement the National Rural Health Mission fully; and
- Take effective measures, for example, constituting an independent body to accelerate programs and projects to improve the situations of mother mortality rate.

Mexico

- Ensure universal, compulsory and free education carrying out on a priority basis measures aimed at eradicating discrimination particularly that effects girls and person with disabilities;
- Provide necessary legislative civilian and criminal measures for appropriate protection of women and girls and children who are affected with sexual disease; and
- Keep the measures required to ensure legislations that are universal basis particularly people living in extreme poverty who belong to minorities and people living in remote areas.

Paraguay

- Continue to stepping up efforts to combat trafficking of persons by granting necessary budget to the large numbers of local bodies to combat this scourge.

Trinidad and Tabago

- Continue efforts to achieve balance between counter terrorism strategies and human rights obligations; and
- Eradicate all forms of discrimination against women.

Uruguay

- Ensure health services to all India the line of production of medicine in India;
- India establish mechanism at state and national level to lift and move obstacles India terms of access by the population to affordable medicines;
- Ratify the UN Convention on Enforced Disappearance and recognize this body to receive communications;
- Accede to ILO No. 182; and
- Ratify Rome Statute on International Criminal Court.

Venezuela

- Continue to take measures for reduction in poverty and social exclusion; and
- Continue to take measures for protection and promotion of rights of women.