**India UPR (excerpts from 4 reports)**

**NOTE: Last year India completed the Third Cycle of the UPR, which took place on Thursday 4 May 2017, 2:30 p.m. - 6:00 p.m. The First Cycle took place on 10 April 2008 and the Second Cycle on 24 May 2012.**

**The Human Rights Council examined three documents: The National report submitted by the Government of India (GOI), a Compilation of UN information submitted by the OHCHR, and a Summary of stakeholders' information, consisting of submission by NGO and the national commission. The Outcome of the review was published in the Report of the Working group and contains recommendations, which India has either .**

**This document is a selection of passages from all four documents.**

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# **India National Report**

(A/HRC/WG.6/27/IND/1, 23 February 2017)

**Introduction**

1. With one-sixth of the global population, India is the world’s largest democracy that is home to a multi-ethnic, multi-religious, multi-linguistic population that has lived together for millennia with an ethos of respect for diversity and plurality. Supported by a rights oriented constitutional framework, a secular polity, and independent judiciary, a range of national and state level commissions that monitor compliance with human rights, a free press, and a vibrant and vocal civil society, India continues its endeavours towards fulfilling its human rights obligations. Recognizing the universality, indivisibility and interrelatedness of all human rights, India places equal emphasis on the civil and political rights and freedoms of its citizens as well as their socio-economic development. Aware that historical factors as well as extant social structures can render certain communities more vulnerable to exclusion, marginalization and human rights violations, India prioritises, through a range of protective and affirmative measures, the attainment of liberty and development for all. In the spirit of leaving no one behind, India follows the motto of “Sabka Saath, Sabka Vikas” (all together and development for all).

2. This national report has been prepared in compliance with the United Nations Human Rights Council Decision 17/119. This report emphasises measures that the State has undertaken for the protection, promotion and fulfilment of such commitments since the previous round of review. Where possible, the report catalogues the targets, achievements, shortfalls and indices for evaluating the effectiveness of State action. At the same time, India asserts that numeric measurement is not the only criteria for assessing its human rights record. For India, as for any other country, the realization of human rights is a work in progress, and this report documents the steps taken by the country towards this goal.

…

**B. Civil and political rights**

**Right to life, liberty and security of the person**

*1. Torture*

32. India committed to ratify the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

33. India remains committed to ratifying the Convention. The Law Commission of India is examining the changes required to domestic law prior to ratification. The Government has requested the Law Commission to examine and give a comprehensive report covering all aspects of criminal law so that comprehensive amendments can be made in Indian Penal Code (IPC), Code of Criminal Procedures (CrPC) and Indian Evidence Act, etc. In the meantime, acts of torture remain punishable under various provisions of the Indian Penal Code. The higher judiciary also serves as a bulwark against such violations.

*2. Enforced disappearances*

34. India pledged to ratify the International Convention for the Protection of All Persons from Enforced Disappearances.

35. India is a signatory to the Convention and is concerned with enforced disappearances. To address this issue, India is cooperating with the Working Group on Enforced or Involuntary Disappearances by reporting facts of cases from time to time. To protect against disappearances from police custody, the NHRC has also issued extensive guidelines on arrest to supplement guidelines issued by the Supreme Court in this regard. Through its training programmes, the NHRC continues to educate police and security personnel to prevent such violations.

*3. Right against arbitrary arrest and detention*

36. To strengthen the constitutional guarantee against arbitrary arrest and detention, and in order to limit the abuse of the arrest power, the Supreme Court issued guidelines in 2014 directing police officials not to arrest persons for offences carrying sentences of seven years or less, except in exceptional circumstances, and directed judicial magistrates to ensure compliance with arrest norms.

37. The National Human Rights Commission (NHRC) regularly monitors complaints of illegal arrest and detention. Between 2012 and 2016, NHRC registered 2,361 cases of illegal arrest, of which 1,075 were disposed of in this time period. NHRC issued directions in 82 cases and compensation in 22 cases. 5,370 cases of unlawful detention were registered by NHRC in this time period, of which 2,297 were disposed of. NHRC issued directions in 198 cases and recommended monetary relief in 46 cases. In both instances a bulk of the cases were transferred to State Human Rights Commissions.

*4. Extra judicial killings*

38. India remains cognizant of the human rights implications of extra-judicial killings, and has taken measures towards ensuring accountability for such violations. The Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions recognized in his report on India that there has been a general drop in unlawful killings in the last few years. NHRC has in place a robust monitoring mechanism for cases of extrajudicial executions. In 2014, the Supreme Court of India issued extensive guidelines for effective and independent investigation of such deaths, including mandatory registration of first information reports in cases of encounter deaths, magisterial inquiry into the case, investigation either by the Crime Investigation Department or another independent agency, and prohibiting out-of-turn promotions or gallantry awards for police officers involved in such killings until the genuineness of the encounter is determined. The judiciary also monitors investigation in specific instances, as for example in the *Extra Judicial Execution Victim Families Association* case, where the Court held that every death caused by armed forces in a disturbed area shall be enquired into by NHRC and CID.

*5. Death penalty*

39. Indian law requires that the death penalty should be imposed only in the “rarest of rare cases.” Only where the crime committed is so heinous as to ‘shock the conscience of society’. In 2015, the Law Commission of India reported that the rarest of rare doctrine does not provide a clear, consistent, and non-arbitrary standard for determining who should be given the death sentence. The Commission recommended the eventual abolition of the death penalty for all crimes, and as a first step for all crimes except terror and waging war. The Report of the Law Commission of India is under consideration by the Government.

40. Three terrorists were awarded death sentence in India between 2012 and 2015. Subsequent to fair trial under rule of law, all three were convicted of terror related offences that had resulted in loss of lives of innocent people and threatened peace and security of the nation.

41. Cognizant of concerns that long periods of incarceration on death row pending a decision on clemency amounts to torture, the Supreme Court has held that such delay is a ground for commuting the death sentence. The Court has also laid down various guidelines for greater procedural safeguards for persons under sentence of death.

**C. Economic, social and cultural rights**

**Economic empowerment of women**

82. India has taken various steps to promote equal participation by women in the workforce, to ensure a safe and dignified work environment, and to facilitate overall socio-economic empowerment of women. The Factories Act is being amended to remove discriminatory provisions, and to require employers to provide greater facilities for women employees. In a radical move, India has decided to open combat roles to women in all sections of the military, at par with men.

83. To address low Labour Force Participation Rate and Worker Population Ratio of women as compared to men, India has introduced schemes and programmes to overcome the economic, social, and cultural barriers that hinder women’s equal participation in the workforce. For example, the National Rural Livelihoods Mission focuses on generating employment and empowerment opportunities for rural women through Self-Help Groups, and through support for women in agriculture.

84. Schemes have also been put in place to empower women through skills training, educating them about available schemes, and through facilitating women’s financial inclusion. For example, to enable access to credit and thereby to income generating opportunities, the Nari Arthik Sashaktikaran Yojana (NASY) provides loans at 4% per annum to women.

85. Recognizing that women bear a large share of familial care giving responsibilities, which often limits their ability to participate equally in the workforce, the Government is committed to facilitating restructuring of workspaces to make them more sensitive to women’s social circumstances. The Government has proposed providing extended maternity leave, crèche facilities and day care centers, flexible working hours and safe and dignified work environments to facilitate women’s equal access to employment opportunities.

86. Women and other disadvantaged groups form the bulk of domestic workers who belong to the unorganized sector, and are often subject to violence, abuse, and discrimination. Currently, the protection of rights and welfare of domestic workers is the prerogative of each State. However, the Government of India is in discussions with civil society organizations on a proposed national law for the protection, welfare and social security of domestic workers.

**Right to an adequate standard of living**

*1. Poverty eradication*

87. India committed to strengthen its poverty alleviation strategies and provide better living conditions for its citizens, including through consolidating programmes and socio-economic measures essential to achieve poverty reduction and social exclusion. In pursuing these policies, India undertook to pay special attention to its rural population, women and children.

88. Poverty eradication is a key element of India’s developmental goals. As of 2012, 21% of India’s population is under the poverty line. India is intensifying its efforts to align its policies with SDGs by focusing on education, health, gender, skills and employment, energy and infrastructure development, etc.

89. India has put in place a range of schemes and services that empower marginalised communities to overcome poverty, such as Direct Benefit Transfers, and entitlement based schemes that guarantee employment, mobilize the rural poor and caters to occupational aspirations of the rural youth. To circumvent corruption and to ensure that the subsidies and benefits reach citizens directly, the Government has been issuing AADHAR cards.

**Housing and land**

100. To achieve the SDG of Sustainable Cities and Communities, the Government has launched various measures such as the SMART Cities programme for establishing sustainable model cities; the Atal Mission for Rejuvenation and Urban Transformation to provide amenities for improving the quality of life of the urban poor and marginalized; the Pradhan Mantri Gramin Aawas Yojana and Housing for All Mission 2022 to provide better housing facilities; and the Rajiv Aawas Yojna to integrate slums into the formal housing system and to generate affordable housing for the urban poor. In addition, the National Urban Livelihood Mission provides permanent shelters for the urban homeless. In rural areas, the MNREGA now includes within its ambit the construction of houses.

101. To ensure inclusive access to housing, the Government also provides preferential allotment in housing facilities under various schemes to marginalized communities such as minorities.

102. To ensure protection of rights of homeless persons, under directions of the Supreme Court the process of physical verification of available shelters for urban homeless persons in each State/UT is underway. The verification process will also check whether the shelters comply with the operational guidelines for the Scheme of Shelters for Urban Homeless under the National Urban Livelihoods Mission (NULM).

103. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 was passed by Parliament to provide a humane, participative, informed and transparent process for land acquisition. The Act also aims to bring about an improvement in the post-acquisition social and economic status of the affected persons.

104. Under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act as amended in 2012, 44,27,613 claims have been filed and 17,46,338 titles have been distributed as of May, 2016. A total of 3,863,025 claims have been disposed of, which is 87.25% of the total claims received.

**D. Rights of specific persons or groups**

**Women**

123. India committed to continuing its efforts and initiatives for eradicating violence and discrimination against women, and for the equality and empowerment of women. Towards this end, India agreed to continue incorporating gender perspectives in its programmes and development plans. India specifically committed to improving measures for preventing violence against women, including sexual violence. India agreed to continue promoting the rights of women in their choice of marriage, and to address the skewed sex ratio, including through more stringent enforcement of the prohibition on pre-natal sex selection.

124. India is undertaking a range of measures to improve the condition of women in the country. To enable the integration of gender perspectives into policy formulation and implementation, and to ensure that women’s concerns are given equal weightage in developmental agendas, the Government of India remains committed to its Gender Budgeting Scheme. So far, 56 Ministries/Departments have confirmed setting up this monitoring mechanism.

125. Various forms of violence like acid attacks, stalking, public stripping, voyeurism, etc, have now been incorporated into the penal code as distinct offences. Schemes for compensating and rehabilitating victims and survivors of various forms of violence have been put in place by the state governments. Women’s helplines provide immediate and holistic response to those facing violence, including through urgent intervention, as well as facilitating access to health services, counselling and legal aid.

126. India remains committed to combating sexual violence against women and children. In the aftermath of a tragic gang rape in New Delhi in December 2012, the Government of India set up the Justice J. S. Verma Committee to suggest measures for addressing violence against women. Based on the recommendations of this Committee, various law reforms were introduced. Laws relating to sexual violence were comprehensively reviewed and overhauled to recognize the multiple forms and sites of sexual violence. New procedures and evidentiary requirements were also put in place to aid swift and successful prosecutions.

127. India also enacted a new law to deal with sexual violence against children of all genders. This law provides for stringent punishment, special courts, as well as procedural measures to protect the child during investigation and trial.

128. India has enacted a law requiring employers to provide effective redressal to women complaining of sexual harassment, and to take other measures for fostering a gender sensitive, safe working place for women. In addition, sexual harassment has been made a distinct criminal offence.

129. Apart from legislative reforms, the Government has put in place various schemes to strengthen the safety and security of women in the country. The Nirbhaya Fund is one such example. India has also been launching one stop centres to provide single point access to women affected by violence and to provide them medical and police assistance, psycho-social support, legal aid and counselling, and temporary shelter. The Government has recently proposed a National Policy for Women which supports a holistic approach to addressing violence against women.

130. India is building a gender-responsive and sensitized police force through training programmes, performance appraisal, and by encouraging 33% reservations for women in the police force.

# **Compilation on India of UN human rights mechanisms**

(A/HRC/WG.6/27/IND/2, 22 February 2017)

**A. Cross-cutting issues**

**1. Equality and non-discrimination**

12. The Special Rapporteur on violence against women reported that the lack of registration and the difficulty in obtaining an identity card had impeded women’s participation, including their access to essential services. The Committee on the Elimination of Discrimination against Women was particularly concerned at bureaucratic obstacles and financial barriers preventing women from scheduled castes and scheduled tribes from registering births and obtaining birth certificates for their children. The Office of the United Nations High Commissioner for Refugees (UNHCR) indicated that the new *Aadhaar* biometric identification card, issued by the authorities, was required in order to gain access to services, including education. The country team explained the intentions of the Government to integrate the social protection system and target cash transfers through the *Jan Dhan Yojana* programme to facilitate financial inclusion, resulting in the creation of 250 million bank accounts; the *Aadhaar* card, which was held by about 1 billion Indians and which linked to their bank accounts; and mobile telephone applications linking the *Aadhaar* card to its owner’s bank account (approximately 1 billion Indians had mobile telephones).

13. In 2016, the Special Rapporteur on minority issues highlighted that, according to official data, Dalits (referred to as “scheduled castes”) constituted more than 201 million people. The figure did not include Dalits who had converted or were born and raised within non-Hindu religious communities, such as the Dalit Muslim and Christian communities. She also reported on the discrimination, exclusion, dehumanization, stigmatization and violence suffered by scheduled castes. The country team pointed out that, according to the National Crime Records Bureau, 47,064 cases of crimes against Dalits had been registered in 2014, up from 39,408 in 2013. Furthermore, according to the National Commission for Scheduled Castes, the highest number of registered cases of crimes against scheduled castes in the period 2013-2015 had been in the states of Uttar Pradesh, Rajasthan and Bihar. The Special Rapporteur on executions noted with concern that the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act of 1989 had not incorporated Dalit Muslims and Christians into the definition of scheduled castes and scheduled tribes, and recommended that the legislation be reviewed to extend the definition.

14. The Special Rapporteur on minority issues explained that manual scavenging constituted a caste-designated occupation that was mainly imposed upon Dalits, particularly Dalit women, who represented 95 per cent of manual scavengers. Despite the passing of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act in 2013, the practice reportedly persisted, institutionalized through State practice, with local governments and municipalities employing manual scavengers. The country team referred to reports that as few as 13 per cent of women had benefited under the manual scavengers rehabilitation scheme.

15. In 2016, the Special Rapporteur on housing expressed concern at the legacy of India regarding discrimination against scheduled castes and tribes and so-called “backward” classes, and against women, particularly single and widowed women, and various religious minorities. She noted that the majority of homeless people or those residing in slums with the worst housing conditions were members of those and other vulnerable groups. The country team reported that 54.71 per cent of scheduled caste households were landless in 2013. It referred to information from the post-Sachar Evaluation Committee on the poor living conditions of Muslims in urban areas and the lack of basic services in settlements with high Muslim populations in urban and rural areas. The Special Rapporteur recommended that India enact legislation to curb all forms of de facto housing discrimination against any individual or group, especially religious or ethnic minorities, women, scheduled castes or scheduled tribes, internal migrants or manual scavengers.

16. The Special Rapporteur on violence against women noted that sex workers were exposed to a range of abuse. Many sex workers were forcibly detained and rehabilitated and faced a consistent lack of legal protection. Many faced challenges in gaining access to essential health services, including for treatment for HIV/AIDS and sexually transmitted diseases. She recommended that India review the Immoral Traffic (Prevention) Act 1956, which criminalized sex work.

17. The country team reported on a 2014 landmark judgment of the Supreme Court affirming the equal rights of transgender persons and that, in 2014, the same Court had overturned a 2009 judgment by the Delhi High Court that had decriminalized consensual same-sex relationships between adults. Referring to a recommendation, the Committee on the Elimination of Discrimination against Women urged India to make efforts towards eliminating the criminalization of same-sex relations. The Special Rapporteur on violence against women recommended that India repeal section 377 of the Penal Code.

**B. Civil and political rights**

**1. Right to life, liberty and security of person**

21. In 2014, two special procedures mandate holders welcomed a decision by the Supreme Court to commute to life imprisonment the death sentences of 15 individuals and to introduce guidelines safeguarding the rights of people on death row. The Special Rapporteur on executions invited India to consider implementing as a priority the recommendation to review legislation to provide that the death penalty could only be imposed for the most serious crimes.

22. The Special Rapporteur took note of reports regarding deaths resulting from the excessive use of force by security officers with little adherence to the principles of proportionality and necessity as defined under international human rights law standards. He noted that section 46 of the Criminal Procedure Code authorized law enforcement officials to use “all means necessary” to perform an arrest that was forcibly resisted, and recommended that India review the Code and legislation in all states regarding use of force, including the exceptional use of lethal force, by all security officers to ensure compliance with international human rights law principles. He regretted that section 46 had not been reviewed or amended.

23. The Special Rapporteur also took note of reports of “fake encounters”, whereby suspected criminals or persons alleged to be terrorists or insurgents had been fatally shot by security officers. He indicated that justice for victims, accountability and punishment of the perpetrators was essential and that specific attention should be given to: challenging the general culture of impunity; eliminating the practice of “fake encounters”; and ensuring that swift, decisive action, with concrete outcomes, was taken in cases of large-scale killings.

24. The Special Rapporteur took note of reports of cases of deaths while in custody and recommended that autopsies be carried out in conformity with international standards and that the families of victims be given full and easy access to autopsy reports, death certificates and other relevant documentation. The Special Rapporteur on violence against women indicated that violence against women in custodial settings remained a concern.

25. Deeply concerned about the reported high level of violence against women in conflict-affected regions, the Committee on the Elimination of Discrimination against Women called upon India to: review promptly the continued application of the Armed Forces (Special Powers) Act and related protocols; amend and/or repeal the Act and protocols in order for sexual violence against women perpetrated by members of the armed forces to be brought under the purview of ordinary criminal law; to enable prosecution in all pending cases; and enforce a code of conduct for members of the armed forces to effectively respect women’s rights.

**C. Economic, social and cultural rights**

**1. Right to an adequate standard of living**

39. The Special Rapporteur on housing observed the stark contrast in India between extreme poverty and deprivation on the one hand and extreme wealth on the other hand, and that the gap between them was growing steadily and visibly. The country team referred to the recommendation from the Task Force on Elimination of Poverty in India that a separate committee be constituted to identify those people living below the poverty line.

43. The Special Rapporteur on housing noted that India had the largest number of urban poor and landless people in the world. She praised the “Housing for All” scheme and stated that the important steps taken could result in the realization of the right to adequate housing for hundreds of millions of vulnerable people. She recommended that the central Government and state governments deal with homelessness as an urgent priority, with a view to eliminating it by 2030, in keeping with target 11.1 of the Sustainable Development Goals, and that the structural causes of homelessness in urban and rural India be identified, including in relation to access to land and housing, affordability and the lack of specific measures in favour of people without an income.

**D. Rights of specific persons or groups**

**1. Women**

52. The Committee on the Elimination of Discrimination against Women expressed concern at the persistence of harmful traditional practices, such as the high number of dowry deaths, so-called “honour killings”, sex-selective abortion, *sati*, *devadasi* and women accused of witchcraft. The Special Rapporteur on violence against women noted that widows were often denied and dispossessed of property, and that social exclusion had led some to engage in sex work and their children to perform hazardous labour or beg on the streets.

53. The Special Rapporteur noted that customary practices in the family and community pointed to a pattern whereby parents preferred to have sons over daughters. She indicated that research had revealed the declining ratio of girls to boys, and the continuing prevalence of sex-selection practices in some states, despite specific legislation to address the problem. The country team welcomed greater focus on improving gender outcomes. The flagship *Beti Bachao Beti Padhao* campaign had been launched in 2015 with the objective of preventing gender-biased sex selection and addressing the imbalance in the gender ratio. Cash incentive schemes to promote education and encourage people to delay marriage had shown varied results and needed to be complemented.

54. The Special Rapporteur on violence against women noted that early marriages continued to endanger girls’ lives. The Committee on the Elimination of Discrimination against Women also expressed concern about the high prevalence of early and forced marriage. It reiterated its recommendations that India withdraw its declarations regarding the Convention and that it review the application of the Special Marriage Act to remove procedural barriers regarding the application for permission to marry and the registration of marriages.

55. The Special Rapporteur indicated that violence against women had become a priority political issue following the brutal gang rape and tragic death of a young student in New Delhi in 2012. As a consequence, the Verma Committee had been established by the Government to review existing normative gaps. Regarding the partial implementation of a noted recommendation, the Rapporteur reported on the Criminal Law (Amendment) Act 2013, which: recognized acid attacks as a new criminal offence; provided for penalties for sexual harassment, assault against or use of criminal force on a woman with the intent to disrobe, voyeurism and stalking; introduced the crime of trafficking; and criminalized rapeand gang rape. UNHCR reported that, in accordance with the Act, the police would also be penalized for failing to register first information reports.

56. The country team reported that marital rape continued to be outside the ambit of criminal law. It indicated that section 357-A of the Code of Criminal Procedure had introduced the concept of reparations in criminal cases, and that all states in India had established victim compensation schemes, although their scope and implementation varied. It noted that the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013 had been enacted. The country team reiterated the recommendations for the criminalization of marital rape and “honour crimes”.

57. The Special Rapporteur on violence against women reported that the lack of implementation of the Protection of Women from Domestic Violence Act was a concern. The attitudes and prejudices of many village leaders in *Khap Panchayats* (local councils), who acted as informal judicial officers, often led to a pre-arranged settlement between families, thus failing to provide effective redress for victims. The Rapporteur recommended that India implement in full and throughout the country the ban by the Supreme Court on *Khap Panchayats*.

58. The Committee on the Elimination of Discrimination against Women urged India to establish one-stop crisis centres to provide women and girls who were victims of violence and rape with free and immediate access to medical attention, psychological counselling, legal aid, shelter and other support services.

# **Summary of Stakeholders’ submission on India**

(A/HRC/WG.6/27/IND/3, 27 February 2017)

**2. Civil and Political Rights**

*Right to life, liberty and security of the person*

44. HRW reported that India noted all recommendations on abolishing the death penalty; and that Indian courts have recognized that the death penalty has been imposed disproportionately and in a discriminatory manner against disadvantaged groups. See also comments by JS23. AI recommended restricting the imposition of the death penalty to the “most serious crimes”, as a first step towards full abolition. LC specifically recommended repealing the 1985 Act that provides for death penalty for repeat drug offenders.

45. JS14 noted that there were many grave complaints against security forces from conflict areas, particularly Jammu and Kashmir, the north-eastern states and central Indian states, of rape and sexual assaults, enforced disappearances, extrajudicial killings, arbitrary arrests and detention and torture. Complaints of torture and extrajudicial killings have emerged from other regions. Prosecution of police officers and state agents is immensely difficult due to in-built protections in law. HRW stated that security and public officials continue to enjoy effective impunity for serious human rights abuses. JS14 reiterated the recommendations that India repeal AFSPA and other security laws. Pointing to gaps in the criminal code, JS22 indicated that there should be no prior sanction required to prosecute public servants of rape in Jammu and Kashmir. APDP reiterated the recommendation for ratifying ICPPED.

46. PVCHR, JS11 and JS1 reported on the alleged widespread use of torture. AI reported that two-thirds of India’s prison population are pre-trial detainees, with Dalits, Adivasis and Muslims being disproportionately represented. JS14 stated that police and prison systems continue to function under laws enacted in the 1800s. HRW recommended that India implement police reform as recommended by the Supreme Court, including the establishment of a complaint mechanism to address police abuse, with JS27 recommending implementation of the Model Police Bill 2015. JS14 recommended that Boards of Visitors are constituted in all jails across states in compliance with the 2011 MHA advisory and remove undue restrictions on access to prisons from the 2015 MHA advisory and ensure legal aid clinics in every prison.

**4. Rights of specific persons or groups**

*Women*

70. Regarding recommendations on skewed sex-ratio, JS12 reported that India had failed to take effective measures to combat female foeticide since the last UPR. JS12 recommended the launching of pilot schemes on the implementation of the Preconception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act in targeted districts and called for a central nodal agency to combat female foeticide – leading to increased accountability, incentivised schemes for girl child and mandatory birth registration focusing on girl child.

71. JS1 noted that poverty and food insecurity are intrinsically linked and women and girls tend to be more undernourished. JS42 recommended ensuring women’s access to nutritious food, particularly during adolescence, pregnancy and post-partum period.

72. JS3 expressed concern that, increasingly, local governance bodies are barring women from using mobile phones and internet in rural areas.

73. JS33 recommended reforming Muslim personal law through abolition of “triple” divorce and polygamy.

74. AI stated that over 327,000 crimes of violence against women, including over 34,000 cases of rape, were reported in 2015.209 HRW reported that following outrage over a brutal gang rape and murder in Delhi, the Government amended its criminal laws with a view to strengthening the criminal justice response to sexual assault. AI recommended that India introduce laws to specifically prevent and prosecute “honour” killings and prosecute unelected village councils that order or endorse violence against Dalit or Adivasi women.

# **Report of the Working Group**

 (A/HRC/36/10, 17 July 2017)

**Presentation by the State under review**

5. The delegation of India stated that India remained convinced of the effectiveness of the universal periodic review process, and reiterated its commitment to meaningful engagement with international organizations and other States in a spirit of reciprocity, with a common desire for a better world. India continued with its endeavours towards observance of human rights. When drafting its national report, India had followed a broad- based consultative approach involving various stakeholders.

6. For India, poverty eradication and achieving inclusive sustainable development were utmost priorities. In that regard, major initiatives had been undertaken, including Smart Cities, Make in India, Celebrate the Girl Child and Enable her Education, Bank Accounts for All, and Startup India, which mirrored the targets of the 17 Sustainable Development Goals for achieving the 2030 Agenda.

7. An important plank of the country’s development agenda, as well as of its push towards good governance and the creation of a knowledge society, had reportedly been the Digital India programme, which aimed at transforming India into a digitally empowered society.

8. The coverage of the Aadhaar Unique Identification Number had been widened to prevent leakages and to ensure targeted delivery of scheme benefits. To further institutionalize the project, the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 had been enacted. Over a billion Aadhaar cards had reportedly been issued to date.

9. India had taken various steps to eliminate all forms of malnutrition, including child malnutrition, notably through the adoption of the National Food Security Act, 2013 and the expansion of the coverage of the Integrated Child Development Services Scheme for better nutrition, health and overall development for children under the age of 6.

10. The Mahatma Gandhi National Rural Employment Guarantee Scheme was the flagship employment programme in India. It was an entitlement-based scheme covering the entire country; women had been the beneficiaries of nearly 60 per cent of the total work days created under the Scheme. Young people were the main beneficiaries of the Skill India Initiative.

11. India had prioritized inclusive and quality education for all by supporting various programmes and policies to universalize educational opportunities, with special emphasis on the girl child.

12. India had been making efforts to evaluate the level of compliance with labour laws through a unified labour and employment web portal, through which employers were required to file returns giving details of their compliance with labour laws. In addition, a law had been enacted requiring employers to provide effective redress to women who had been victims of sexual harassment.

13. In all its policies, India had sought to ensure inclusive development and the protection of the rights of vulnerable groups. To that end, the National Policy for Children 2013 had put in place a rights-based policy framework to address children’s needs.

14. India was deeply committed to reinforcing and accelerating efforts to combat human trafficking. In that context, the Government was in advanced consultations with stakeholders on an anti-human trafficking bill to comprehensively address issues relating to human trafficking.

15. In April 2014, the Supreme Court had handed down a landmark judgment directing the Government to declare transgender persons as pertaining to a “third gender” and to include them in the category of an “Other Backward Class”, which would entitle them to affirmative action benefits. The Court had also reinforced the point that they should have all rights under the law.

16. India had made significant progress in addressing the special needs of persons with disabilities through the Accessible India Campaign, and by overhauling the legislative framework on the rights of persons with disabilities and the rights of persons with mental health issues.

17. India had also amended its laws to provide more stringent punishment for atrocities against persons belonging to the Scheduled Castes and Tribes. In addition, a range of policy measures had been adopted to address issues of social exclusion, deprivation and disadvantage that such groups might face.

18. India had remained alert to the problem of global warming and the need to factor in environmental sustainability in its development policies. For instance, the Government had articulated its belief in taking an ethical and people-centred approach to climate change by espousing the principles of climate justice.

19. The delegation also referred to the country’s constitutional framework for the protection of civil liberties and its commitment to safeguarding fundamental rights and fulfilling the Directive Principles of State Policy enshrined in the Constitution.

20. The independent judiciary, the autonomous human rights commissions at both the national and State levels, the media and civil society all ensured that the authorities remained respectful of constitutional and human rights norms.

21. The Armed Forces (Special Powers) Act had been applied only to disturbed areas to deal with exigent circumstances like terrorism. The Supreme Court had upheld the constitutionality of the Act and laid down strict guidelines, including that the armed forces could not use excessive force under the Act.

22. India was committed to ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In that context, the Government had requested the Law Commission of India to prepare a comprehensive report covering all aspects of criminal law so that the necessary amendments could be made in the Penal Code, the Code of Criminal Procedure and the Evidence Act, prior to carrying out the ratification process.

23. Concerning extrajudicial executions, the Supreme Court issued extensive guidelines for effective and independent investigations, and the judiciary monitored investigations in specific cases.

24. In order to address the large backlog of cases that often resulted in delays in their closure, the Law Commission’s recommendations on institutional changes to facilitate timely justice were being considered by the Government and the Supreme Court.

25. Safeguarding the rights of minorities formed an essential core of the polity of India, and the State made no distinction between a citizen’s caste, creed, colour or religion.

26. The delegation stressed that the right to free speech and expression were at the core of the Indian Constitution and that people were conscious of their political freedoms and exercised their choices at every opportunity.

**Interactive dialogue**

27. During the interactive dialogue, 103 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

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76. Portugal noted the amendment to criminalize rape and gang rape, while regretting that marital rape fell outside the scope of the amendment.

…

103. The Law Commission of India had not recommended the criminalization of marital rape in 2000. After a commission had handed down an opinion favouring that course of action, the Government had requested the Law Commission to deliberate upon the subject during its comprehensive review of the criminal justice system.

…

107. Referring to the current security situation in Jammu and Kashmir and the high number of casualties sustained by Indian security forces, the delegation stressed the zero-tolerance policy on terrorism and the active, constructive role played by several stakeholders in that region

**Conclusions and/or recommendations [Based on UN Doc. *Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review* contained in** A/HRC/36/10/Add.1 of6 September 2017, the recommendations that have been only notes are in light shading and those that have been supported or accepted by India are in blue.]

 **Responss to Recommendations**

N - 161.1 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Estonia);

N - 161.2 Consider adhering to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and abolish the death penalty (Portugal);

N - 161.3 Ratify the Optional Protocols to the International Covenant on Civil and Political Rights, to the Convention on the Elimination of All Forms of Discrimination against Women and to the Convention on the Rights of Persons with Disabilities (Guatemala);

N - 161.4 Consider withdrawing the remaining declarations and reservations to the Convention on the Elimination of All Forms of Discrimination against Women (Rwanda);

S - 161.5 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as previously recommended (Botswana);

S - 161.6 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment urgently and in accordance with its commitments from the 2012 universal periodic review (Norway);

S - 161.7 Ratify, before the next universal periodic review cycle, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Czechia);

S - 161.8 Finalize the efforts to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as other international instruments, as recommended by relevant treaty bodies (Bulgaria);

S - 161.9 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Greece) (Guatemala) (Italy) (Lebanon) (Montenegro) (Mozambique) (South Africa) (Sweden) (Turkey) (Ukraine) (United States of America);

N - 161.10 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Portugal);

S - 161.11 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and ensure that the instrument of ratification is consistent with the Convention (Australia);

N - 161.12 Swiftly ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, ensure that domestic legislation defines torture in line with international standards, and extend an invitation to the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment for an official visit to the country (Germany);

N - 161.13 Proceed with early ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as the International Convention for the Protection of All Persons from Enforced Disappearance (Japan);

N - 161.14 Ratify the Convention against Torture as soon as possible and further, ratify the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization and the Optional Protocols to Convention on the Elimination of All Forms of Discrimination against Women and the International Covenant on Civil and Political Rights and abolish the death penalty as recommended by the Law Commission of India (Ireland);

N - 161.15 Finalize the process of ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of All Persons from Enforced Disappearance (Kazakhstan);

S - 161.16 Redouble its efforts to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Republic of Korea);

S - 161.17 Speed up the process for the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Israel);

S - 161.18 Advance towards the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Chile);

S - 161.19 Consider completing the process of ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Burkina Faso);

S - 161.20 Complete the process of preparation for the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Russian Federation);

S - 161.21 Intensify efforts to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark);

S - 161.22 Strengthen national efforts towards the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Indonesia);

N - 161.23 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol and swiftly move ahead with the Prevention of Torture Bill (Estonia);

N - 161.24 Enact the Prevention of Torture Bill currently pending in the parliament in compliance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Turkey);

N - 161.25 Adopt the draft law on the prevention of torture and other forms of cruel, inhuman or degrading treatment or punishment by complying with established international norms (Madagascar);

N - 161.26 Adopt the draft law on the prevention of torture and ensure that it complies with the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Senegal);

N - 161.27 Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Uruguay);

N - 161.28 Promptly ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Guatemala);

N - 161.29 Expedite efforts to ratify the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Sierra Leone);

N - 161.30 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Greece) (Ukraine);

N - 161.31 Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Burkina Faso);

N - 161.32 Accede to and implement the 1954 Convention relating to the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness, the 1951 Convention relating to the Status of Refugees and article 7 of the Convention on the Rights of the Child to end statelessness and guarantee nationality for affected children (Kenya);

N - 161.33 Accede to and fully implement the 1954 Convention relating to the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness and the 1951 Convention relating to the Status of Refugees (Slovakia);

N - 161.34 Ratify the Rome Statute of the International Criminal Court (Estonia);

N - 161.35 Accede to and fully align its national legislation with the Rome Statute of the International Criminal Court (Latvia);

N - 161.36 Consider ratifying the Rome Statute of the International Criminal Court (Uruguay);

N - 161.37 Develop a national strategy to tackle exploitative labour practices and to ratify the ILO Protocol of 2014 to the Forced Labour Convention, 1930, and continue to strengthen protections for children (United Kingdom of Great Britain and Northern Ireland);

S - 161.38 Ratify the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization (Slovenia);

S - 161.39 Consider ratifying the ILO Domestic Workers Convention, 2011 (No. 189) (Uruguay);

S - 161.40 Consider acceding to the ILO Worst Forms of Child Labour Convention, 1999 (No. 182) (Uruguay);

S - 161.41 Ratify the international conventions to which it has committed itself (Madagascar);

N - 161.42 Ratify other human rights conventions to which India is not yet a State party (Philippines);

N - 161.43 Ratify the international human rights instruments to which India is not a State party yet (Côte d’Ivoire);

S - 161.44 Adopt an open, merit-based selection process when selecting national candidates for United Nations treaty body elections (United Kingdom of Great Britain and Northern Ireland);

S - 161.45 Respond positively to visit requests by the special procedures of the Human Rights Council (Latvia);

S - 161.46 Put in place a specific mechanism for implementing previous accepted recommendations (Uganda);

S - 161.47 Request all necessary technical assistance enabling the Government to meet its international commitments (Côte d’Ivoire);

N - 161.48 Accede to and adapt its national legislation to the Rome Statute, including incorporation of dispositions to swiftly and fully cooperate with the International Criminal Court (Guatemala);

N - 161.49 Bring into law the Prevention of Communal and Targeted Violence bill (2013) (United Kingdom of Great Britain and Northern Ireland);

N - 161.50 Accede to and adapt its national legislation to the Arms Trade Treaty (Guatemala);

N - 161.51 Criminalize marital rape (Portugal) (Sweden);

N - 161.52 Include a provision in its Penal Code criminalizing marital rape (Australia);

N - 161.53 Remove the exception relating to marital rape from the definition of rape in the Indian Penal Code and criminalize “honour crimes” (Slovenia);

N - 161.54 Remove the exception relating to marital rape from the definition of rape in section 375 of the Indian Penal Code (Belgium) (Iceland);

N - 161.55 Consider removing the exception relating to marital rape from the definition of rape in section 375 of the Indian Penal Code (Namibia);

N - 161.56 Remove the exception of marital rape from the definition of rape in article 375 of the Penal Code, in line with the efforts already undertaken for the protection of women (France);

N - 161.57 Criminalize all forms of sexual abuse of girls under 18 years of age, including marital rape and “honour crimes” (Zambia);

N - 161.58 Take additional steps in criminalizing marital rape (Lithuania);

S - 161.59 Consider introducing laws to specifically prevent and prosecute “honour” killings and prosecute those that order or sanction violence against women (Namibia);

S - 161.60 Continue efforts to eradicate child and forced marriage (Peru);

S - 161.61 Continues its endeavours in promoting and protecting the human rights of all its citizens in an inclusive manner (Nepal);

S - 161.62 Adopt a national plan on human rights (Kenya);

S - 161.63 Expand the scope of the Right of Children to Free and Compulsory Education Act and promote human rights education in the school curriculum (Slovakia);

N - 161.64 Include human rights education in the draft new education policy (Zambia);

S - 161.65 Continue and step up national efforts to train and guide security staff and other law enforcement officials in the field of human rights (Egypt);

S - 161.66 In the spirit of its Constitution, which guarantees equal rights to all minorities, further invest in dedicated human rights training of police officials to register and investigate cases of discrimination and violence and to hold them accountable when they fail to do so (Finland);

S - 161.67 Provide systematic training on women’s rights to all law enforcement personnel, medical staff and judicial officials (Belgium);

S - 161.68 Strengthen capacity-building with regard to human rights for civil servants involved in the protection of women and girl and boy victims of violence and sexual abuse (Mexico);

S - 161.69 Adopt a comprehensive national plan on inclusion in order to combat persisting inequality, paying particular attention to persons in vulnerable situations such as women, children, persons with disabilities and minorities (Honduras);

S - 161.70 Strengthen the national framework to reduce all kinds of discrimination (Iraq);

N - 161.71 Intensify efforts to guarantee equality and non-discrimination in line with its international obligations by developing public human rights awareness programmes and taking concrete steps to advance the rights of women and girls, members of religious minorities, and lesbian, gay, bisexual, transgender and intersex persons and to combat caste-based discrimination, including to: criminalize marital rape; decriminalize consensual same-sex relations; and establish appropriate policies and practices for registering, investigating and prosecuting violence against women, girls and members of religious minorities (Ireland);

S - 161.72 Ensure that laws are fully and consistently enforced to provide adequate protections for members of religious minorities, scheduled castes, tribes and other vulnerable populations (United States of America);

N - 161.73 Take effective measures to combat rising instances of religious intolerance, violence and discrimination (Kazakhstan);

N - 161.74 Enact the Prevention of Torture Bill (South Africa);

S - 161.75 Adopt laws and implement policies to supress all forms of de facto discrimination against any person or group (Guatemala);

N - 161.76 Repeal section 377 of the Indian Penal Code and ensure that consensual same-sex relations are not criminalized (Iceland);

N - 161.77 Take steps to end the criminalization of same-sex relations (Israel);

N - 161.78 Amend or revoke section 377 to decriminalize same-sex relations (Norway);

N - 161.79 Repeal section 377 of the Indian Penal Code, which criminalizes same-sex conduct between consenting adults, and enact legislation consistent with the Supreme Court’s recognition of the rights of transgender persons (Canada);

S - 161.80 Adopt measures to effectively protect transgender persons, including the implementation of the Transgender Persons (Protection of Rights) Bill (Israel);

S - 161.81 Continue the fight against discrimination, exclusion, dehumanization, stigmatization and violence suffered by scheduled castes (Peru);

S - 161.82 Take urgent measures to repeal the norms that discriminate against castes, and investigate and sanction the perpetrators of acts of discrimination and violence against them, in particular against the Dalits (Argentina);

S - 161.83 Take the necessary measures to ensure effective implementation of the Scheduled Castes and Scheduled Tribes Act, notably through the training of State officials (France);

N - 161.84 Establish a national action plan for combating hate crimes, racism and negative stereotypes against people of African descent inside its territory, including appropriate programmes of public awareness that will address the problem of racism and Afro-phobia, in full consultation with those particularly affected (Haiti);

S - 161.85 Consolidate the progress made towards reaching the Sustainable Development Goals and in the improvement of human development indicators (Islamic Republic of Iran);

S - 161.86 Continue efforts in the implementation of sustainable development strategies for the year 2030 (Sudan);

S - 161.87 Allocate adequate resources to realize the Sustainable Development Goal targets to reduce maternal mortality and end preventable deaths of newborns and children under 5 (Norway);

S - 161.88 Continue facilitating equal access to justice for all and provide legal aid, in particular to vulnerable groups, minority groups and marginalized people (Angola);

S - 161.89 Further promote equal access to justice for all, especially by providing more legal aid to the poor and marginalized (Ethiopia);

S - 161.90 Establish and implement regulations to ensure that the business sector complies with international and national human rights, labour, environment and other standards (Uganda);

S - 161.91 Continue its efforts in relation to its environmental policies (State of Palestine);

S - 161.92 Provide access to clean and modern energy to all its people and develop climate-friendly green cities (United Arab Emirates);

S - 161.93 Continue implementing its international commitments to achieve its nationally determined contributions under the Paris Agreement of 2015 (United Arab Emirates);

S - 161.94 Continue its efforts to effectively enforce its environmental policies and further increase the growth of forest cover in the country (Brunei Darussalam);

S - 161.95 Take appropriate measures to avoid the excessive use of force by security officers (Greece);

S - 161.96 Deepen the respect about principles of proportionality and necessity for armed forces and police (Peru);

N - 161.97 Revise the Armed Forces (Special Powers) Act to bring it into compliance with the obligations under the International Covenant on Civil and Political Rights, with a view to fighting impunity (Switzerland);

N - 161.98 Review the Code of Criminal Procedure as regards the use of force by law enforcement officials, in particular section 46 (Sierra Leone);

S - 161.99 Prevent and pursue through the appropriate judicial means all violent acts against religious and tribal minorities, Dalits and lower castes (Holy See);

S - 161.100 Strengthen efforts for the prevention of cases of intercommunal violence (Russian Federation);

N - 161.101 Step up its efforts against caste-based violence, discrimination and prejudice, including by eradicating all forms of caste-based discrimination in the educational system (Czechia);

S - 161.102 Prohibit forced sterilization in line with requests by the Special Rapporteurs on torture, violence against women, and the right to health, and in line with the National Population Policy (Iceland);

S - 161.103 Take concrete steps to prevent coercive, unsafe and abusive sterilization and create greater accountability for these practices, including ensuring free and full consent prior to conducting the procedure and compliance with international standards (Sweden);

N - 161.104 Abolish the death penalty (Mozambique);

N - 161.105 Consider the abolition of the death penalty (Greece);

N - 161.106 Consider imposing a moratorium on the application of the death penalty with a view to abolishing it (Namibia);

N - 161.107 Consider imposing a de facto moratorium on the use of the death penalty with a view to its total abolition (Rwanda);

N - 161.108 Establish a moratorium on executions as a first step towards the abolition of the death penalty (Belgium);

N - 161.109 Introduce an official moratorium on the death penalty (Lithuania);

N - 161.110 Establish a de jure moratorium on capital executions and commute the existing death sentences with a view to fully abolishing the death penalty (Italy);

N - 161.111 Consider establishing a moratorium on the death penalty with a view to its abolishment (Spain);

N - 161.112 Establish a formal moratorium on the death penalty, with a view to ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Australia);

N - 161.113 Consider the establishment of a moratorium on executions during the process of consideration by the Government of the recommendations of the Law Commission of India on the issue of the abolition of the death penalty (Montenegro);

N - 161.114 Consider establishing a moratorium on the death penalty (Timor- Leste);

N - 161.115 Introduce a moratorium on executions with a view to abolishing the death penalty (France);

S - 161.116 Improve prison conditions in order to ensure the rights and dignity of all those deprived of their liberty (Zambia);

S - 161.117 Continue with relevant consultations and adopt a law on combating trafficking in persons (Belarus);

S - 161.118 Continue the consultation process with all concerned parties to elaborate a new draft of the law against trafficking in persons (Cuba);

S - 161.119 Continue and redouble its efforts to combat trafficking in persons and modern slavery, including through better law enforcement to end impunity for human traffickers and through initiatives aimed at destigmatizing and rehabilitating victims of trafficking (Liechtenstein);

S - 161.120 Continue to implement measures to stop the flow of trafficking in persons (Holy See);

S - 161.121 Strengthen the national mechanisms to combat human trafficking and support victims and their rehabilitation (Lebanon);

S - 161.122 Accelerate efforts towards combating human trafficking, particularly by protecting and rehabilitating victims (Philippines);

S - 161.123 Continue combating human trafficking (Senegal);

S - 161.124 Continue efforts to improve social services that provide support to victims of human trafficking, forced labour and those who have been sexually exploited (Maldives);

S - 161.125 Continue improving the national legislative framework on the rehabilitation of victims of trafficking (Ukraine);

N - 161.126 Strengthen efforts to guarantee freedom of religion and belief, especially by retracting so-called anti-conversion laws (Holy See);

N - 161.127 Take all necessary measures to protect the rights of persons belonging to religious minorities, and repeal laws which restrict religious conversion (Netherlands);

N - 161.128 Abolish anti-conversion laws and grant access to justice to victims of religious violence and discrimination (Italy);

N - 161.129 Repeal the requisite legislation to stop violence and discrimination against religious minorities (Kenya);

N - 161.130 Take visible policy and other measures to ensure the freedom of religion and belief and address the alarming trend of racism, racial discrimination, xenophobia and related intolerance including mob violence committed, incited and advocated by right-wing parties and affiliated extremist organizations against minorities, particularly Muslims, Christians, Sikhs and Dalits (Pakistan);

N - 161.131 Ensure that any measure limiting freedom of expression, assembly and association on the Internet is based on clearly defined criteria in accordance with international law including international human rights law (Sweden);

S - 161.132 Continue to develop laws and make efforts to ensure freedom of religion and belief (Lebanon);

N - 161.133 Guarantee freedom of religion or belief by implementing existing laws to better protect individuals belonging to minority groups from hate speech, incitement to religious violence, discrimination on religious grounds and forcible conversions (Canada);

N - 161.134 Enact a law for the protection of human rights defenders (Lithuania);

N - 161.135 Amend the Foreign Contribution (Regulation) Act to ensure the right to freedom of association, which includes the ability of civil society organizations to access foreign funding, and protect human rights defenders effectively against harassment and intimidation (Germany);

N - 161.136 Revise the Foreign Contribution (Regulation) Act to ensure benign working conditions for civil society in India (Norway);

N - 161.137 Improve the Foreign Contribution (Regulation) Act so that it could fund a broader scope of non-governmental organizations (Republic of Korea);

N - 161.138 Ensure consistent, transparent application of the Foreign Contribution (Regulation) Act regulations to permit full exercise of the right to freedom of association (United States of America);

N - 161.139 Review and amend the Foreign Contribution (Regulation) Act, which may restrict the access of NGOs to foreign financial assistance and lead to their arbitrary shut-down (Czechia);

N - 161.140 Lift legal restrictions or hurdles to the work of civil society individuals or organizations and ensure that they can undertake their legitimate activities without fear of reprisals (Switzerland);

N - 161.141 Carry out independent investigations in all cases of attacks against journalists (Lithuania);

N - 161.142 Put an end to all curbs on freedom of expression and association (Pakistan);

N - 161.143 Guarantee freedom of expression, association and peaceful assembly for all individuals and promote meaningful dialogue that embraces and allows freely organized advocacy of diverging views by civil society (Canada);

S - 161.144 Continue its efforts to protect religious freedom and the rights of minority groups based on its Constitution and other relevant laws (Republic of Korea);

N - 161.145 Bring all legislation concerning communication surveillance in line with international human rights standards and especially recommend that all communication surveillance requires a test of necessity and proportionality (Liechtenstein);

N - 161.146 Take the necessary steps to ensure that all operations of intelligence agencies are monitored by an independent oversight mechanism (Liechtenstein);

S - 161.147 Continue efforts to reduce corruption and increase accountability (Sudan);

N - 161.148 Strengthen the independent functioning of the judiciary in order to reduce delays in judicial proceedings, enhance transparency of the processes and guarantee the right to speedy trial (Estonia);

S - 161.149 Allocate appropriate resources to reducing backlog and delays in the administration of cases in courts (Ethiopia);

S - 161.150 Promote and facilitate universal access to birth registration, especially for people living in extreme poverty, belonging to religious minorities or living in remote areas of the country, through the implementation of mobile units and carrying out awareness-raising campaigns (Mexico);

N - 161.151 Ensure children’s rights to acquire a nationality in accordance with article 7 of the Convention on the Rights of the Child, regardless of the parents’ legal status or ethnicity (Slovakia);

N - 161.152 Remove barriers prohibiting scheduled castes and schedule tribes from registering their children’s births and obtaining birth certificates (Bahrain);

S - 161.153 Continue strengthening efforts aimed at promoting food security and eradicate all forms of malnutrition, in particular among children under the age of 5 (Libya);

S - 161.154 Continue its programmes for the promotion of socioeconomic development, with a particular focus on the country’s rights-based approach to food security targeting the most vulnerable groups (Sri Lanka);

S - 161.155 Implement a human rights-based, holistic approach to ensure access to adequate housing as well as to adequate water and sanitation, including for marginalized groups, Dalits, scheduled castes, the homeless, the landless, scheduled tribes, religious and ethnic minorities, persons with disabilities and women (Germany);

S - 161.156 Expand the Housing for All scheme to realize the right to adequate housing for vulnerable people and eliminate homelessness by 2030 (South Africa);

S - 161.157 Continue the Housing for All policy led by the Government to eradicate by 2030 the problem of homelessness, in conformity with Sustainable Development Goal 11 of the 2030 Agenda (Algeria);

S - 161.158 Ensure the systematic functioning of all mechanisms for the delivery of financial and other forms of assistance to those in need which have been established within the framework of the National Social Assistance Programme (Russian Federation);

S - 161.159 Ensure that the implementation of a set of socioeconomic policies, such as the Stand-Up India scheme, is targeted, accountable and transparent, so that their benefits reach all sections of society (Singapore);

S - 161.160 Continue efforts and measures aimed at enhancing social security and labour policies, and expand the development model in rural areas (Egypt);

S - 161.161 Continue studying the possibility of a universal basic income as a way to further reduce poverty levels with a view to possibly phasing out the existing social protection system, in full consultation with all stakeholders (Haiti);

S - 161.162 Continuously improve its endeavours to eradicate poverty in the country (Indonesia);

S - 161.163 Continue its efforts towards socioeconomic development and poverty eradication (Islamic Republic of Iran);

S - 161.164 Further strengthen its efforts towards socioeconomic development and poverty eradication (Myanmar);

S - 161.165 Continue efforts to realize social and economic development and eradicate poverty (Saudi Arabia);

S - 161.166 Continue efforts to reduce poverty, improve the well-being of the people, protect and enforce the rights of vulnerable groups of the population (Uzbekistan);

S - 161.167 Continue its efforts to achieve sustainable development and eradicate poverty (Yemen);

S - 161.168 Continue its fight against poverty, lack of adequate food, safe water and sanitation, while paying special attention to the need to introduce a child rights-based approach in all policies (Bulgaria);

S - 161.169 Continue national efforts to realize social and economic development and eradicate poverty, and achieve comprehensive sustainable development for all (Egypt);

S - 161.170 Continue to increase access to safe and sustainable drinking water in rural areas and to improve sanitation coverage, especially for women and girls (Singapore);

S - 161.171 Carry on its efforts and action in the promotion of social security and labour policy (Islamic Republic of Iran);

S - 161.172 Implement further actions in promoting social and work security, as well as efforts to spread the country’s growth model in rural areas (Uzbekistan);

S - 161.173 Continue promoting sustainable economic and social development and raising the living standard of its people so as to lay down a firm basis for the enjoyment of human rights by its people (China);

S - 161.174 Accelerate the process of consolidating existing labour laws to, inter alia, promote the right to equal opportunities for work and at work, as well as to achieve occupational safety (Zimbabwe);

S - 161.175 Increase public spending on the health sector in accordance with the 2017 National Health Policy and take further steps to strengthen health facilities (Kazakhstan);

S - 161.176 Continue to provide access to health services for the elderly under the National Programme for Health Care of the Elderly (Colombia);

S - 161.177 Take steps towards improving access to health, especially access to maternal health and to adequate obstetric delivery services so as to reduce maternal and child mortality (Zimbabwe);

S - 161.178 Continue its efforts to ensure that the universal health-care scheme covers disadvantaged groups, including persons with disabilities and persons living in remote rural areas, who still face obstacles in accessing basic health-care services (Lao People’s Democratic Republic);

S - 161.179 Continue furthering the sexual and reproductive health and rights of all women by immediately putting an end to camp-based sterilization operations in accordance with the Supreme Court order of 14 September 2016, by ensuring all women access to counselling on and access to the full range of modern contraceptives in a voluntary, safe and quality manner, and by providing comprehensive sexuality education (Finland);

S - 161.180 Redouble its efforts in maternal health, sexual and reproductive health and comprehensive contraceptive services (Colombia);

S - 161.181 Increase the government expenditure in the field of education (Iraq);

S - 161.182 Continue its efforts to ensure that all children have access to education at all levels and all categories (Lao People’s Democratic Republic);

S - 161.183 Continue to take steps to provide inclusive and quality education for all (Myanmar);

S - 161.184 Continue its efforts in implementing its comprehensive policies to ensure quality education for all children (Qatar);

S - 161.185 Promote children’s right to education, especially education on climate change adaptation and mitigation (Viet Nam);

S - 161.186 Step up its efforts to carry out the second phase of its Education for All programmes to focus on providing affordable and quality secondary education in the country (Brunei Darussalam);

S - 161.187 Increase investment in universal, mandatory and free education by giving priority to measures to eradicate discrimination and exclusion that affect girls, children with disabilities, Dalits and marginalized persons (Mexico);

S - 161.188 Accept more efforts to increase girls’ secondary education, including ensuring that schools are girl-friendly in all parameters (Kyrgyzstan);

S - 161.189 Continue to ensure access to education for all, especially children of scheduled castes and tribes (Holy See);

S - 161.190 Strengthen the integration of the gender perspective in the formulation and implementation of policies (Colombia);

N - 161.191 Ensure implementation of the Gender Budgeting Scheme in all states and union territories (South Africa);

S - 161.192 Continue incorporating the gender perspective in the design and implementation of policies, and guarantee that the development agenda pays equal attention to the concerns of women (Cuba);

S - 161.193 Redouble efforts on ensuring gender equality and take measures to prevent gender discrimination (Timor-Leste);

S - 161.194 Continue its efforts to ensure women’s equal participation in the workforce and generate employment opportunities for women in rural areas (State of Palestine);

N - 161.195 Take urgent measures to put an end to harmful traditional practices such as so-called “honour killings”, selective abortion on the basis of the sex of the fetus, sati, devadasi, early and enforced marriage, bringing the perpetrators to justice and guaranteeing assistance for victims (Argentina);

N - 161.196 Implement existing laws on all forms of violence and sexual violence against women and girls, including “honour” crimes, female feticide and female infanticide; expand the definition of rape and sexual assault to include marital rape; and end harmful practices such as child, early and forced marriage (Canada);

S - 161.197 Improve the enforcement of the legal provisions prohibiting harmful and discriminatory practices against women and girls, in particular child marriages, dowry-related murders and honour killings, and ensure that all women, without discrimination, have access to public services (Czechia);

S - 161.198 Step up efforts for comprehensive protection of women and girls, in particular against sexual violence (Greece);

S - 161.199 Combat violence against women through effective legislation and law enforcement measures (China);

S - 161.200 Take more effective measures to protect and promote the rights of women and girls, as they continue to be subjected to widespread violence, discrimination and exploitation (Japan);

S - 161.201 Take additional serious measures to eliminate violence against women and children, including sexual violence (Kyrgyzstan);

S - 161.202 Continue and strengthen measures to prevent and repress offences and violence against women and girls, including through early childhood education, awareness-raising and enhancing effective mechanisms of reparation (Viet Nam);

N - 161.203 Eliminate traditional harmful practices, such as the rising number of deaths due to dowry and burning of widows (Bahrain);

S - 161.204 Continue its efforts to promote the empowerment of women and to combat violence against women, in line with the recommendations of the Verma Committee (Brazil);

S - 161.205 Continue strengthening institutions to eliminate discrimination and violence against women, in particular sexual violence, and adopt specific measures to achieve gender equality in the labour market (Chile);

N - 161.206 Increase the resources so that female survivors of violence and domestic abuse can denounce the crimes with guarantees they will be not repeated (Spain);

S - 161.207 Punish domestic violence, as well as promote awareness-raising campaigns on gender violence, including “honour” crimes (Spain);

S - 161.208 Reinforce the legal framework for the prevention of violence against women, including running a national awareness campaign and ensuring comprehensive investigation and prosecution in cases of domestic violence (Italy);

N - 161.209 Adopt a comprehensive law to combat all forms of violence against women, including domestic violence and marital rape (Honduras);

S - 161.210 Strengthen the protection of women’s rights in accordance with the Protection of Women from Domestic Violence Act and other relevant laws (Republic of Korea);

S - 161.211 Ensure effective implementation of the law on the protection of women against domestic violence (Gabon);

S - 161.212 Further the implementation of relevant laws and policies as well as training for public officials, to tackle sexual offences and unfair treatment to women (Thailand);

S - 161.213 Redouble its efforts to enforce its legal provisions prohibiting harmful and discriminatory practices that violate the rights of women and girls (Liechtenstein);

S - 161.214 Strengthen legislation to combat sexual offences against children and women (Timor-Leste);

S - 161.215 Enhance activities aimed at eliminating discrimination against women, which particularly affects women from lower castes (Kyrgyzstan);

S - 161.216 Implement the Protection of Children from Sexual Offences Act to increase the protection of children from sexual abuse (Kenya);

S - 161.217 Ensure that legislation defining the minimum legal age of marriage at 18 is enforced at all levels, everywhere in the country (Iceland);

S - 161.218 Step up its efforts to eradicate child marriage and so-called “honour crimes” (Israel);

S - 161.219 Step up efforts to combat and eliminate child, early and forced marriages (Sierra Leone);

S - 161.220 Adopt legislative measures and policies to prevent early or forced marriages (Honduras);

S - 161.221 Continue and intensify the actions to prohibit child marriage (Gabon);

S - 161.222 Strengthen the adoption of socioeconomic programmes which promote the empowerment of women and their participation in public and political life (Angola);

N - 161.223 Enact the Women’s Reservation Bill providing for the reservation of seats for women in the parliament and legislative assemblies, in order to enhance the political participation of women (Netherlands);

N - 161.224 Adopt the law on quotas which aims to reserve at least 33 per cent of seats in legislative bodies of the central and state governments for women (Senegal);

N - 161.225 Adopt the law on quotas which aims to reserve seats for women in legislative bodies of the central and state governments (Algeria);

S - 161.226 Accelerate work on the protection of the rights of children and women in particular (Turkey);

N - 161.227 Prohibit child labour in family enterprises and extend the list of dangerous activities in line with the recommendations of the Committee on the Rights of the Child (Spain);

N - 161.228 Consider repealing the provision that allows children to work in family-based occupations (Slovakia);

S - 161.229 Continue strengthening national strategies to combat child labour (Brazil);

S - 161.230 Continue to take all necessary measures to enhance the effectiveness of the protection of children, in particular in cases of sexual violence against children (Portugal);

S - 161.231 Continue strengthening institutions to protect children and adolescent girls and boys, with a view to eradicating child labour, sexual exploitation and the practice of child marriage (Chile);

S - 161.232 Develop specific guidelines for protection and support for victims of child sexual abuse and their families undergoing trial (Slovakia);

S - 161.233 Introduce legislation to prohibit corporal punishment of children in the home and in all other settings, including as a sentence under traditional forms of justice (Liechtenstein);

S - 161.234 Introduce comprehensive and continuous public education, awareness-raising and social mobilization programmes on the harmful effects of corporal punishment (Liechtenstein);

S - 161.235 Establish a database of all cases of violence against children and explicitly prohibit all forms of corporal punishment of children under 18 years of age in all settings (Zambia);

S - 161.236 Increase efforts to improve the rights of the child, notably through the effective application of the prohibition of child labour, as well as the rights of women (France);

S - 161.237 Establish a monitoring mechanism to oversee the effective implementation of the Child Labour (Prohibition and Regulation) Amendment Act, the National Child Labour Policy and the Accessible India Campaign to prevent exploitation of children and protect the rights of persons with disabilities (Thailand);

S - 161.238 Take all appropriate measures in the implementation of the 2015 Juvenile Justice Act to give children aged 18 years and below an opportunity for rehabilitation (Botswana);

S - 161.239 Continue efforts to promote opportunities for persons with disabilities to benefit from development gains (Libya);

S - 161.240 Continue efforts aimed at improving the access of persons with disabilities to education, vocational training and health care (Oman);

S - 161.241 Expand the integration of persons with disabilities into programmes and plans for sustainable development (Qatar);

S - 161.242 Take holistic measures to protect the rights of persons with disabilities, the elderly and other vulnerable groups (China);

S - 161.243 Continue policies aimed at ensuring the enjoyment of the rights and freedoms of persons with disabilities and access to resources and services under the Accessible India Campaign (Colombia);

S - 161.244 Ensure that girls with disabilities are afforded the same right to education as all children (Australia);

S - 161.245 Continue strengthening the policies in favour of the rights of peasants and other persons working in rural areas (Plurinational State of Bolivia);

S - 161.246 Continue the endeavour to facilitate the access of elderly persons to preventive services and necessary treatment (Oman);

N - 161.247 Immediately stop its atrocities and violations of human rights against the Kashmiri people, and allow them to exercise their right to self-determination through a free and fair plebiscite in accordance with the United Nations Security Council resolution (Pakistan);

N - 161.248 Repeal the Armed Forces (Special Powers) Act and the Public Safety Act and take credible actions to end the prevailing culture of impunity in “Indian-Occupied Kashmir” (Pakistan);

N - 161.249 Immediately ban the use of pellet guns and hold accountable perpetrators who have used lethal force against unarmed civilians in “Indian-Occupied Kashmir” (Pakistan);

N - 161.250 Provide unhindered access to the United Nations and other international organizations, and accede to the call of the High Commissioner for Human Rights to allow an OHCHR fact-finding mission to “Indian-Occupied Kashmir” to investigate and report on the human rights situation there (Pakistan).

162. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review**. **They should not be construed as endorsed by the Working Group as a whole.**