

Compilation on India

Report of the Office of the United Nations High Commissioner for Human Rights

I. Scope of international obligations and cooperation with international human rights mechanisms and bodies¹

1. International human rights treaties²

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (1968)	--	ICCPR-OP 2
	ICESCR (1979)		CAT
	ICCPR (1979)		OP-CAT
	CAT (signature only, 1997)		ICRMW
	CEDAW (1993)		ICPPED
	CRC (1992)		
	OP-CRC-AC (2005)		
	OP-CRC-SC (2005)		
	CRPD (2007)		
	ICPPED (signature only, 2007)		
<i>Reservations and/or declarations</i>	ICERD (Reservation/Interpretative declaration, art.22, (1967) (interstate complaint issue)	--	ICERD (Reservation/Interpretative declaration, art.22, (1967)
	ICESCR (Reservations/Declarations, arts. 1, 4, 7 (c) and 8) (1979)		ICESCR Reservations/Declarations, arts. 1, 4, 7 (c) and 8) (1979)
	ICCPR (Reservations, arts. 1, 9, 12, 13, 19, para. 3, 21 and 22) (1979)		ICCPR (Reservations, arts. 1, 9, 12, 13, 19, para. 3, 21 and 22) (1979)
	CEDAW (Reservations/Declarations, (arts. 5 (a), 16, paras. 1 and 2, and 29, para. 1) (1993)		CEDAW (Reservations/Declarations, (arts. 5 (a), 16, paras. 1 and 2, and 29, para. 1) (1993)
	CRC (Declaration, art. 32) (1992)		CRC (Declaration, art. 32) (1992)
	OP-CRC-AC (Declaration under art. 3, para.2: 16 years) (2005)		OP-CRC-AC (Declaration, art.3, para 2: 16 years) (2005)
<i>Complaints procedures, inquiries and urgent action³</i>	--	--	ICERD, art. 14
			OP-ICESCR
			ICCPR, art. 41
			ICCPR-OP 1
			CAT, arts. 20-22
			OP-CEDAW, art. 8

<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
		ICRMW, arts. 76-77
		OP-CRC-IC
		OP-CRPD, art. 6
		ICPPED, arts. 31-32

2. Other main relevant international instruments⁴

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Convention on the Prevention and Punishment of the Crime of Genocide	--	--
	--	--	Rome Statute of the International Criminal Court
	Palermo Protocol ⁵	--	--
	--	--	Conventions on refugees and stateless persons ⁶
	Geneva Conventions of 12 August 1949 ⁷	--	Additional Protocols I, II and III to the 1949 Geneva Conventions ⁸
	International Labour Organization (ILO) fundamental conventions Nos. 29, 105, 100, 111 ⁹	--	ILO fundamental conventions Nos. 87, 98, 138, 182 ¹⁰
	--	--	ILO Conventions Nos. 169 and 189 ¹¹
	--	--	Convention against Discrimination in Education

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies

1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
<i>Committee on the Elimination of Racial Discrimination</i>	--	--	--	Combined tenth to sixteenth reports overdue since 2010 respectively
<i>Committee on Economic, Social and Cultural Rights</i>	May 2008	--	--	Sixth report overdue since 2011

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
<i>Human Rights Committee</i>	--	--	--	Fourth report overdue since 2001
<i>Committee on the Elimination of Discrimination against Women</i>	November 2010	2012	July 2014	Sixth report due in 2018
<i>Committee on the Rights of the Child</i>	--	2011	June 2014/June 2014 OP-AC and OP-SC	Combined fifth to sixth reports due 2020
<i>Committee on the Rights of Persons with Disabilities</i>	--	2015	--	Initial report submitted pending consideration

2. Responses to specific follow-up requests by treaty bodies

Concluding observations			
<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
<i>Committee on the Elimination of Discrimination against Women</i>	2016	Violence against women, Violence against women in border areas and conflict zones ¹²	2016 ¹³

B. Cooperation with special procedures¹⁴

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	Yes	Yes
<i>Visits undertaken</i>	Freedom of religion	Executions ¹⁵
	Human Rights Defenders (HRD)	Violence against women ¹⁶
	Toxic waste	Housing ¹⁷
<i>Visits agreed to in principle</i>	Executions	Sale of children ¹⁸
	Housing	Water
	Arbitrary Detention	Arbitrary Detention
	Sale of children	
<i>Visits requested</i>	Torture	Slavery
	Racism	Racism
	Indigenous peoples	Hazardous substances and wastes
	Water and sanitation	Cultural rights
	Trafficking	Privacy
	Disappearances	Torture

	<i>Status during previous cycle</i>	<i>Current status</i>
	Independence of Judges and Lawyers (IJL)	Disappearances
	Violence against women	IJL
		Freedom of peaceful assembly and association
		Persons of African Descent
		Poverty
<i>Responses to letters of allegation and urgent appeals</i>	During the period under review, 55 communications were sent. The Government replied to 29 communications.	
<i>Follow-up reports and missions</i>	Executions ¹⁹	

C. Status of national human rights institutions²⁰

<i>National human rights institution</i>	<i>Status during previous cycle</i>	<i>Status during present cycle²¹</i>
National Human Rights Commission of India (NHRC-India)	A (2006)	A (2011) ²²

¹ Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on India from the previous cycle (A/HRC/WG.6/13/IND/2).

² The following abbreviations have been used in the universal periodic review document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

³ Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.

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- ⁴ Information relating to international human rights instruments may also be found in the pledges and commitments undertaken by India before the Human Rights Council, as contained in the note verbale dated 16 October 2014 sent by the Permanent Mission of India to the United Nations addressed to the President of the General Assembly, see document A/69/538.
- ⁵ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- ⁶ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness.
- ⁷ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/IHL.
- ⁸ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/IHL.
- ⁹ International Labour Organization (ILO) Forced Labour Convention, 1930 (No. 29); Abolition of Forced Labour Convention, 1957 (No. 105); Equal Remuneration Convention, 1951 (No. 100); Discrimination (Employment and Occupation) Convention, 1958 (No. 111).
- ¹⁰ International Labour Organization (ILO) Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182).
- ¹¹ ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) and Domestic Workers Convention, 2011 (No. 189).
- ¹² CEDAW/C/IND/CO/4-5, para. 48.
- ¹³ CEDAW/C/IND/CO/4-5/Add.1.
- ¹⁴ For the titles of special procedure mandate holders, see, <http://www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx>.
- ¹⁵ A/HRC/23/47/Add.1 and A/HRC/23/47/Add.7.
- ¹⁶ A/HRC/26/38/Add.1.
- ¹⁷ A/HRC/34/51/Add.1.
- ¹⁸ Dates to be agreed upon since April 2012.
- ¹⁹ A/HRC/29/37/Add.3.
- ²⁰ According to article 5 of the rules of procedure of the Global Alliance of National Human Rights Institutions (GANHRI), the classifications for accreditation used by the Sub-Committee are: A: voting member (fully in compliance with each of the Paris Principles); B: non-voting member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); and C: no status (not in compliance with the Paris Principles).
- ²¹ The list of national human rights institutions with accreditation status granted by the Global Alliance of National Human Rights Institutions (GANHRI), accessed at: <http://www.ohchr.org/Documents/Countries/NHRI/ChartStatusNHRIs.pdf>.
- ²² See relevant Sub-Committee on Accreditation (SCA) report.
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