

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<i>Right or area: 2.1. Acceptance of international norms</i>			
<p>138.1. Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol; the International Convention for the Protection of All Persons from Enforced Disappearance and the Statute of the International Criminal Court (Spain);</p> <p>Source of position: A/HRC/21/10- Para. 138 & A/HRC/21/10/Add.1 - Para. page 3</p> <p>Comments: A/HRC/21/10/Add.1 states at page 2: List of Recommendations Accepted by the Government of India; and at page 3: Finalise the ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. (Spain, Sweden, Switzerland, Timor-Leste, UK and Northern Ireland, USA, Australia, Austria, Botswana, Brazil, Czech Republic, Indonesia, Iraq, Italy, Maldives, Portugal, Republic of Korea)</p>	Supported/Noted	<p>2.1 Acceptance of international norms 12.5 Prohibition of torture and cruel, inhuman or degrading treatment 13.2 Enforced disappearances 20.3 International humanitarian law</p> <p>Affected persons: - disappeared persons - general</p>	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>138.5. Continue efforts to accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as its optional protocol, and the International for the Protection of All Persons from Enforced Disappearances; and ratify ILO Conventions No. 169 and no. 189 (Iraq);</p> <p>Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3</p> <p>Comments: A/HRC/21/10/Add.1 states at page 2: List of Recommendations Accepted by the Government of India; and at page 3: Finalise the ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. (Spain, Sweden, Switzerland, Timor-Leste, UK and Northern Ireland, USA, Australia, Austria, Botswana, Brazil, Czech Republic, Indonesia, Iraq, Italy, Maldives, Portugal, Republic of Korea)</p>	Supported/Noted	<p>2.1 Acceptance of international norms 12.5 Prohibition of torture and cruel, inhuman or degrading treatment 13.2 Enforced disappearances 33 Indigenous peoples 23.1 Right to work 23.2 Right to just and favourable conditions of work Affected persons: - disappeared persons - general - migrant workers</p>	
<p>138.10. Accede to the ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour; ratify the Statute of the International Criminal Court and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the ILO Convention No. 189 concerning Decent Work for Domestic Workers (Uruguay);</p> <p>Source of position: A/HRC/21/10 - Para. 138</p>	Noted	<p>2.1 Acceptance of international norms 12.5 Prohibition of torture and cruel, inhuman or degrading treatment 5.2 Institutions & policies - General 30.3 Children: protection against exploitation 20.3 International humanitarian law 16 Right to an effective remedy, impunity 34 Migrants 23.1 Right to work 23.2 Right to just and favourable conditions of work Affected persons: - general - children - migrant workers</p>	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>138.13. Ratify the International Convention for the Protection of All Persons from Enforced Disappearances, the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, and the Rome Statute of the International Criminal Court (Austria);</p> <p>Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3</p> <p>Comments: A/HRC/21/10/Add.1 states at page 2: List of Recommendations Accepted by the Government of India; and at page 3: Finalise the ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. (Spain, Sweden, Switzerland, Timor-Leste, UK and Northern Ireland, USA, Australia, Austria, Botswana, Brazil, Czech Republic, Indonesia, Iraq, Italy, Maldives, Portugal, Republic of Korea)</p>	Supported/Noted	<p>2.1 Acceptance of international norms 12.5 Prohibition of torture and cruel, inhuman or degrading treatment 13.2 Enforced disappearances 16 Right to an effective remedy, impunity 20.3 International humanitarian law</p> <p>Affected persons: - disappeared persons - general</p>	
<p>138.14. Ratify the Rome Statute of the International Criminal Court, including its Agreement on Privileges and Immunities (Slovakia);</p> <p>Source of position: A/HRC/21/10 - Para. 138</p>	Noted	<p>2.1 Acceptance of international norms 16 Right to an effective remedy, impunity 20.3 International humanitarian law</p> <p>Affected persons: - general</p>	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>138.18. Sign the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol and ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Portugal);</p> <p>Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3</p> <p>Comments: A/HRC/21/10/Add.1 states at page 2: List of Recommendations Accepted by the Government of India; and at page 3: Finalise the ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. (Spain, Sweden, Switzerland, Timor-Leste, UK and Northern Ireland, USA, Australia, Austria, Botswana, Brazil, Czech Republic, Indonesia, Iraq, Italy, Maldives, Portugal, Republic of Korea)</p>	Supported/Noted	<p>2.1 Acceptance of international norms</p> <p>21 Economic, social & cultural rights - general measures of implementation</p> <p>16 Right to an effective remedy, impunity</p> <p>12.5 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>5.2 Institutions & policies - General</p> <p>13.2 Enforced disappearances</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - disappeared persons - general 	
<p>138.24. Ratify, in the shortest time, the International Convention for the Protection of All Persons from Enforced Disappearance as well as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and adopt related internal legislation (France);</p> <p>Source of position: A/HRC/21/10 - Para. 138</p>	Noted	<p>2.1 Acceptance of international norms</p> <p>12.5 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>13.2 Enforced disappearances</p> <p>5.1 Constitutional and legislative framework</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - disappeared persons - general 	
<p>138.26. Ratification of ILO Conventions Nos. 138 concerning Minimum Age for Admission to Employment; 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour; 169 concerning Indigenous and Tribal Peoples in Independent Countries; 155 concerning Occupational Safety and Health and the Working Environment and 170 concerning Safety in the use of Chemicals at Work (Ghana);</p> <p>Source of position: A/HRC/21/10 - Para. 138</p>	Noted	<p>2.1 Acceptance of international norms</p> <p>30.3 Children: protection against exploitation</p> <p>33 Indigenous peoples</p> <p>23.1 Right to work</p> <p>23.2 Right to just and favourable conditions of work</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - children - indigenous 	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>138.28. Ratify Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the ILO Conventions no. 138 and 182 concerning child labour (Sweden);</p> <p>Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3</p> <p>Comments: A/HRC/21/10/Add.1 states at page 2: List of Recommendations Accepted by the Government of India; and at page 3: Finalise the ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. (Spain, Sweden, Switzerland, Timor-Leste, UK and Northern Ireland, USA, Australia, Austria, Botswana, Brazil, Czech Republic, Indonesia, Iraq, Italy, Maldives, Portugal, Republic of Korea)</p>	Supported/Noted	<p>2.1 Acceptance of international norms</p> <p>12.5 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>30.3 Children: protection against exploitation</p> <p>Affected persons:</p> <p>- children</p>	
Right or area: 12.4. Death penalty			
<p>138.95. Maintain de facto moratorium on executions and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights with a view to definitive abolishment of the death penalty (France);</p> <p>Source of position: A/HRC/21/10 - Para. 138</p>	Noted	<p>12.4 Death penalty</p> <p>2.1 Acceptance of international norms</p> <p>5.2 Institutions & policies - General</p> <p>Affected persons:</p> <p>- general</p>	
Right or area: 2.1. Acceptance of international norms			
<p>138.101. Consider adhering to the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty (Portugal);</p> <p>Source of position: A/HRC/21/10 - Para. 138</p>	Noted	<p>2.1 Acceptance of international norms</p> <p>12.4 Death penalty</p> <p>5.1 Constitutional and legislative framework</p> <p>Affected persons:</p> <p>- general</p>	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.128. Align its national regulations with the ILO Conventions 138 concerning Minimum Age for Admission to Employment and 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour and elaborate a timeline for the ratification of these instruments (Hungary); Source of position: A/HRC/21/10 - Para. 138	Noted	2.1 Acceptance of international norms 30.3 Children: protection against exploitation 5.1 Constitutional and legislative framework 30.1 Children: definition; general principles; protection Affected persons: - children	
<i>Right or area: 3.1. Cooperation with treaty bodies</i>			
138.65. Implement Treaty Body recommendations and develop a National Action Plan to eliminate all forms of discrimination (Slovenia); Source of position: A/HRC/21/10 - Para. 138	Noted	3.1 Cooperation with treaty bodies 40 Treaty body follow-up procedures 5.2 Institutions & policies - General 8 Equality & non-discrimination 9 Racial discrimination Affected persons: - general	
<i>Right or area: 3.3. Cooperation with other international mechanisms and institutions</i>			
138.70. Continue cooperating with the United Nations and other international organisations and share good experience and practices with other countries in order to overcome the remaining challenges (Lao People's Democratic Republic); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 5	Supported	3.3 Cooperation with other international mechanisms and institutions 3.2 Cooperation with special procedures 3.3 Cooperation with other international mechanisms and institutions 40 Treaty body follow-up procedures 41 Follow-up to special procedures 42 Follow-up to UPR Affected persons: - general	
<i>Right or area: 3.2. Cooperation with special procedures</i>			
138.66. Continue cooperating with Special Procedures and accept in particular requests for visits from Special Rapporteurs (Belgium); Source of position: A/HRC/21/10 - Para. 138	Supported	3.2 Cooperation with special procedures 41 Follow-up to special procedures Affected persons: - general	Please see 138.53 for information on a communication from several special procedures to India on coercive and substandard sterilization practices.

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138.67. Adopt the recommendations of the Special Rapporteur on the situation of human rights defenders and the necessary measures to its recognition and protection, guaranteeing that the human rights violations are timely, effectively and independently investigated (Spain); Source of position: A/HRC/21/10 - Para. 138	Noted	3.2 Cooperation with special procedures 41 Follow-up to special procedures 36 Human rights defenders 5.2 Institutions & policies - General 15.1 Administration of justice & fair trial 16 Right to an effective remedy, impunity Affected persons: - human rights defenders	
138.69. Allow the visit of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, whose request had been pending for 18 years, in line with India's standing invitation issued in 2011 to all Special Procedures of the HRC (Hungary); Source of position: A/HRC/21/10 - Para. 138	Noted	12.5 Prohibition of torture and cruel, inhuman or degrading treatment 3.2 Cooperation with special procedures Affected persons: - general	
Right or area: 3.3. Cooperation with other international mechanisms and institutions			
138.56. Implement the 2011 recommendations of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights to ensure the high standards and independence of India's National Human Rights Institutions (United Kingdom of Great Britain and Northern Ireland); Source of position: A/HRC/21/10 - Para. 138	Noted	3.3 Cooperation with other international mechanisms and institutions 5.2 Institutions & policies - General Affected persons: - general	
Right or area: 5.1. Constitutional & legislative framework			
138.35. Review the law on the special powers of the armed forces to align it with its obligations under the International Convention on Civil and Political Rights (Switzerland); Source of position: A/HRC/21/10 - Para. 138	Noted	5.1 Constitutional and legislative framework 2.1 Acceptance of international norms 11 Civil & political rights - general measures of implementation Affected persons: - general	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.37. Consider expediting the process to pass the 108 th Constitutional Amendment Bill which seeks to reserve a significant portion of seats for women at the Lower House and state legislative assemblies and consider the ratification of the Optional Protocol to Convention on the Elimination of All Forms of Discrimination against Women (Timor-Leste); Source of position: A/HRC/21/10 - Para. 138	Noted	5.1 Constitutional and legislative framework 29.1 Discrimination against women 18 Right to participation in public affairs and right to vote 2.1 Acceptance of international norms 5.2 Institutions & policies - General 16 Right to an effective remedy, impunity Affected persons: - general	
Right or area: 30.3. Children: protection against exploitation			
138.39. Strengthen legislations to combat sexual offences against minors (Algeria); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 6	Supported	30.3 Children: protection against exploitation 30.2 Children: family environment and alternative care 30.1 Children: definition; general principles; protection 5.1 Constitutional and legislative framework 12.5 Prohibition of torture and cruel, inhuman or degrading treatment 12.7 Prohibition of slavery, trafficking 29.2 Violence against women, trafficking and exploitation of prostitution Affected persons: - children - girls	
Right or area: 5.1. Constitutional & legislative framework			
138.44. Repeal the Armed Forces Special Powers Act or adopt the negotiated amendments to it that would address the accountability of security personnel, the regulation concerning detentions as well as victims' right to appeal in accordance to international standards (Slovakia); Source of position: A/HRC/21/10 - Para. 138	Noted	5.1 Constitutional and legislative framework 12.6 Conditions of detention 16 Right to an effective remedy, impunity Affected persons: - general	
138.89. Study the possibility of eliminating any criminalisation of same sex relations (Argentina); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3	Supported	8 Equality & non-discrimination 14.6 Right to private life, privacy 5.1 Constitutional and legislative framework Affected persons: - Lesbian, gay, bisexual and transgender persons (LGBT)	
Right or area: 12.4. Death penalty			
138.91. Establish a moratorium on executions with a view to abolishing the death penalty (Ireland); Source of position: A/HRC/21/10 - Para. 138	Noted	12.4 Death penalty 5.1 Constitutional and legislative framework Affected persons: - general	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.92. Abolish capital punishment and commute existing death sentences to life imprisonments terms (Slovakia); Source of position: A/HRC/21/10- Para. 138	Noted	12.4 Death penalty 5.1 Constitutional and legislative framework Affected persons: - general	
138.94. Consider abolishing the death penalty or establishing a moratorium (Chile); Source of position: A/HRC/21/10- Para. 138	Noted	12.4 Death penalty 5.1 Constitutional and legislative framework Affected persons: - general	
138.96. Introduce as quickly as possible a de jure moratorium on executions (Belgium); Source of position: A/HRC/21/10- Para. 138	Noted	12.4 Death penalty 5.1 Constitutional and legislative framework Affected persons: - general	
138.97. Adopt a de jure moratorium on capital punishment with a view to abolishing the death penalty (Italy); Source of position: A/HRC/21/10- Para. 138	Noted	12.4 Death penalty 5.1 Constitutional and legislative framework Affected persons: - general	
138.98. Establish an official moratorium against the death penalty and take the necessary measures in view of its abolition (Switzerland); Source of position: A/HRC/21/10- Para. 138	Noted	12.4 Death penalty 5.1 Constitutional and legislative framework Affected persons: - general	
138.99. Study the possibility of repealing the death penalty from its legal regime (Argentina); Source of position: A/HRC/21/10- Para. 138	Noted	12.4 Death penalty 5.1 Constitutional and legislative framework Affected persons: - general	
138.100. Make the de facto moratorium into a permanent one with a view to abolishing the death penalty (Norway); Source of position: A/HRC/21/10- Para. 138	Noted	12.4 Death penalty 5.1 Constitutional and legislative framework Affected persons: - general	
<i>Right or area: 12.5. Prohibition of torture and cruel, inhuman or degrading treatment</i>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.104. Introduce legislation to prohibit corporal punishment of children in all settings (Liechtenstein); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 5 Comments: A/HRC/21/10/Add.1 states at page 2: List of Recommendations Accepted by the Government of India; and at page 5: Introduce legislation to prohibit corporal punishment of children. (Liechtenstein)	Supported/ Noted	12.5 Prohibition of torture and cruel, inhuman or degrading treatment 5.1 Constitutional and legislative framework 30.1 Children: definition; general principles; protection Affected persons: - children	
Right or area: 29.2. Gender-based violence			
138.105. Adopt comprehensive legislation on fighting all forms of sexual harassment in relation to women and children (Kyrgyzstan); Source of position: A/HRC/21/10 - Para. 138	Noted	29.2 Violence against women, trafficking and exploitation of prostitution 30.3 Children: protection against exploitation 5.1 Constitutional and legislative framework Affected persons: - children - girls - women	
Right or area: 14.2. Freedom of thought, conscience and religion			
138.123. Take legislative action to ensure every person's right to freely choose one's religion in line with the Indian Constitution and effectively and swiftly prosecute acts of violence against religious minorities (Austria); Source of position: A/HRC/21/10 - Para. 138	Noted	14.2 Freedom of thought, conscience and religion 32 Members of minorities 5.1 Constitutional and legislative framework 15.1 Administration of justice & fair trial 16 Right to an effective remedy, impunity Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups	
138.124. Abolish anti-conversion laws in relation to religion and grant access to justice to victims of religious violence and discrimination (Italy); Source of position: A/HRC/21/10 - Para. 138	Noted	14.2 Freedom of thought, conscience and religion 5.1 Constitutional and legislative framework 15.1 Administration of justice & fair trial 16 Right to an effective remedy, impunity Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups	
Right or area: 29.1. Discrimination against women			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>138.2. Intensify the efforts working towards the MDG5, including by withdrawing its reservation to Article 16 in Convention on the Elimination of All Forms of Discrimination against Women, and by ensuring access to information and counselling on SRHR as set out in its National Population Policy (Sweden);</p> <p>Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 6</p> <p>Comments: A/HRC/21/10/Add.1 states at page 2: List of Recommendations Accepted by the Government of India; and at page 6: Intensify efforts towards the MDG5 by ensuring access to information and counseling on SRHR as set out in the National Population Policy. (Sweden)</p>	Supported/Noted	<p>29.1 Discrimination against women 2.2 Reservations 24 Right to health - General 5.2 Institutions & policies - General 2.1 Acceptance of international norms</p> <p>Affected persons: - women</p>	<p>Please see 138.53 for information on coercive and substandard sterilization, which occurs in violation of the National Population Policy, and denials of access to information and counselling on the full range of contraceptive methods. Please see 138.102 and 138.150 for information on child marriage, which violates girls' SRHR by leaving them at risk of a host of reproductive health harms.</p>
Right or area: 5.1. Constitutional & legislative framework			
<p>138.45. Carry out an annual review of the 1958 Armed Forces Special Powers Act aiming to gradually reduce its geographic scope (France);</p> <p>Source of position: A/HRC/21/10 - Para. 138</p>	Noted	<p>5.1 Constitutional and legislative framework 5.2 Institutions & policies - General</p> <p>Affected persons: - general</p>	
Right or area: 8. Non-discrimination			
<p>138.47. Take adequate measures to guarantee and monitor the effective implementation of the Prevention of Atrocities Act, providing legal means for an increased protection of vulnerable groups like the Dalit, including the access to legal remedies for affected persons (Germany);</p> <p>Source of position: A/HRC/21/10 - Para. 138</p>	Noted	<p>8 Equality & non-discrimination 9 Racial discrimination 5.2 Institutions & policies - General 32 Members of minorities 33 Indigenous peoples 16 Right to an effective remedy, impunity</p> <p>Affected persons: - refugees and asylum-seekers - indigenous - internally displaced persons - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	
Right or area: 37. Right to development – general measures of implementation			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.51. Continue its efforts to further spread in the country the model of rural growth in the Mahatma Gandhi National Rural Employment Guarantee Act (Greece); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 4	Supported	37 Right to development - general measures of implementation 22.1 Right to an adequate standard of living - general 5.2 Institutions & policies - General Affected persons: - general	
<i>Right or area: 5.2. Institutions & policies</i>			
138.54. Establishment and implementation of a National Human Rights Plan which cover access to education and health, including aspects of sexual and reproductive and health, as well as, concrete measures to eliminate violence against women (Spain); Source of position: A/HRC/21/10 - Para. 138	Noted	5.2 Institutions & policies - General 29.1 Discrimination against women 29.2 Violence against women, trafficking and exploitation of prostitution 24 Right to health - General 6 Human rights education, trainings Affected persons: - women	
138.57. Intensify its efforts and measures to consolidate the state of law and its national mechanisms on human rights (Viet Nam); Source of position: A/HRC/21/10 - Para. 138	Noted	5.2 Institutions & policies - General 5.1 Constitutional and legislative framework Affected persons: - general	
138.58. Further coordination among relevant national authorities and human rights institutions (Egypt); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3	Supported	5.2 Institutions & policies - General Affected persons: - general	
<i>Right or area: 6. Human rights education and training</i>			
138.59. Intensify efforts in providing capacity building and training programmes on human rights for its law enforcement officials as well as judicial and legal officials in the rural areas (Malaysia); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 4	Supported	6 Human rights education, trainings 5.2 Institutions & policies - General 15.1 Administration of justice & fair trial Affected persons: - general	
<i>Right or area: 5.3. Political framework & good governance</i>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.62. Strengthen the process for ensuring independent and timely investigation mechanisms to address and eliminate corruption; and provide for and facilitate increased accountability and transparency in this process (United States of America); Source of position: A/HRC/21/10 - Para. 138	Noted	5.3 Political framework & good governance 5.2 Institutions & policies - General 16 Right to an effective remedy, impunity Affected persons: - general	
Right or area: 8. Non-discrimination			
138.71. Continue its efforts to eliminate discrimination against and empower marginalized and vulnerable groups particularly by ensuring effective implementation of relevant laws and measures through proper and active coordination among line ministries, national and state governments; by extending disaggregated data to caste, gender, religion, status and region; and by increasing sensitization and reducing discriminatory attitudes among law enforcement officers through human rights education and training (Thailand); Source of position: A/HRC/21/10 - Para. 138	Noted	8 Equality & non-discrimination 5.2 Institutions & policies - General 6 Human rights education, trainings 9 Racial discrimination Affected persons: - general	
138.72. Ensure that laws are fully and consistently enforced to provide adequate protections for members of religious minorities, scheduled castes, and adivasi groups, as well as, women, trafficking victims, and LGBT citizens (United States of America); Source of position: A/HRC/21/10 - Para. 138	Noted	8 Equality & non-discrimination 5.2 Institutions & policies - General 5.3 Political framework & good governance 9 Racial discrimination 12.7 Prohibition of slavery, trafficking 29.1 Discrimination against women 32 Members of minorities 33 Indigenous peoples 34 Migrants Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	
138.73. Monitor and verify the effectiveness of, and steadily implement, measures such as quota programmes in the areas of education and employment, special police and special courts for effective implementation of the Protection of Civil Rights Act and the Scheduled Caste and Scheduled Tribes Act, and the work of the National Commission for Scheduled Castes (Japan); Source of position: A/HRC/21/10 - Para. 138	Noted	8 Equality & non-discrimination 5.2 Institutions & policies - General 23.1 Right to work 25 Right to education - General 5.3 Political framework & good governance 6 Human rights education, trainings 9 Racial discrimination 15.1 Administration of justice & fair trial Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.74. Address the inequities based on rural-urban divide and gender imbalance (Bots wana); Source of position: A/HRC/21/10- Para. 138 & A/HRC/21/10/Add.1 - Para. page 3	Supported	8 Equality & non-discrimination 5.2 Institutions & policies - General 29.1 Discrimination against women Affected persons: - women	
<i>Right or area: 5.2. Institutions & policies</i>			
138.75. Put in place appropriate monitoring mechanisms to ensure that the intended objectives of the progressive policy initiatives and measures for the promotion and protection of the welfare and the rights of the vulnerable, including women, girls and children, as well as the scheduled castes and scheduled tribes and minorities are well achieved (Ghana); Source of position: A/HRC/21/10- Para. 138 & A/HRC/21/10/Add.1 - Para. page 4	Supported	5.2 Institutions & policies - General 5.3 Political framework & good governance 8 Equality & non-discrimination 29.1 Discrimination against women 30.1 Children: definition; general principles; protection 32 Members of minorities 33 Indigenous peoples Affected persons: - children - women	Please see 138.41, 138.53, and 138.102 for information on forms on violence against women and children, including marital rape, child marriage, and coercive and substandard sterilization practices.
138.76. Continue working on the welfare of children and women (Nepal); Source of position: A/HRC/21/10- Para. 138 & A/HRC/21/10/Add.1 - Para. page 5	Supported	5.2 Institutions & policies - General 30.1 Children: definition; general principles; protection 29.1 Discrimination against women Affected persons: - children - women	Please see 138.41, 138.53, and 138.102 for information on forms on violence against women and children, including marital rape, child marriage, and coercive and substandard sterilization practices.
<i>Right or area: 29.1. Discrimination against women</i>			
138.77. Continue the procedures and measures taken to enable women to be equal partners and participants in development (Qatar); Source of position: A/HRC/21/10- Para. 138 & A/HRC/21/10/Add.1 - Para. page 5	Supported	29.1 Discrimination against women 5.2 Institutions & policies - General 37 Right to development - general measures of implementation Affected persons: - women	
<i>Right or area: 5.1. Constitutional & legislative framework</i>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.79. Continue its legal efforts in the protection of women and children's rights as well as improve measures to prevent violence against women and girls, and members of religious minorities (Iran); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 4	Supported	5.1 Constitutional and legislative framework 5.2 Institutions & policies - General 29.1 Discrimination against women 29.2 Violence against women, trafficking and exploitation of prostitution 30.1 Children: definition; general principles; protection 32 Members of minorities Affected persons: - children - women	Please see 138.41, 138.53, and 138.102 for information on forms on gender-based violence, including marital rape, child marriage, and coercive and substandard sterilization practices.
Right or area: 29.1. Discrimination against women			
138.80. Improve women empowerment and emancipation, and provide them with a bigger role to play in the society (Kuwait); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 5	Supported	29.1 Discrimination against women 18 Right to participation in public affairs and right to vote 5.2 Institutions & policies - General Affected persons: - women	
138.83. Continue incorporating the gender perspective in programmes and development plans with positive measures to the effective promotion and protection of women's rights (Venezuela (Bolivarian Republic of)); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 2	Supported	29.1 Discrimination against women 5.2 Institutions & policies - General Affected persons: - women	
138.87. Continue to promote the rights of women in their choice of marriage and their equality of treatment independently of caste and tribe or other considerations (Holy See); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 6	Supported	29.1 Discrimination against women 8 Equality & non-discrimination 5.2 Institutions & policies - General 32 Members of minorities 33 Indigenous peoples Affected persons: - women	Please see 138.102 for information on child marriage, which constitutes a form of forced marriage that violates women's right to consent to marriage.
138.88. Strictly enforce the legal provisions prohibiting harmful and discriminatory practices that violate the rights of women and girls, and that it undertake effective public education measures, including awareness-raising programmes designed to eliminate gender-based prejudices, traditional practices and provisions of personal status laws that are harmful and discriminatory to women and girls (Liechtenstein); Source of position: A/HRC/21/10 - Para. 138	Noted	29.1 Discrimination against women 5.2 Institutions & policies - General 25 Right to education - General 29.2 Violence against women, trafficking and exploitation of prostitution 30.1 Children: definition; general principles; protection Affected persons: - children - women	Please see 138.102, which provides information on barriers to and weaken enforcement of legal provisions prohibiting child marriage, including isues arising from harmful and discriminatory provisions of personal status laws.

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<i>Right or area: 8. Non-discrimination</i>			
138.90. Take measures to address violence and discrimination directed towards persons based on their sexual orientation, especially related to employment (Canada); Source of position: A/HRC/21/10 - Para. 138	Noted	8 Equality & non-discrimination 5.2 Institutions & policies - General 13.1 Liberty and security - general 23.1 Right to work Affected persons: - Lesbian, gay, bisexual and transgender persons (LGBT)	
<i>Right or area: 12.4. Death penalty</i>			
138.93. Respect the de facto moratorium on the death penalty which had been in place since 2004 (Spain); Source of position: A/HRC/21/10 - Para. 138	Noted	12.4 Death penalty 5.2 Institutions & policies - General Affected persons: - general	
<i>Right or area: 30.1. Children: definition, general principles, protection</i>			

<p>138.102. Take effective measures to dissuade child marriage and to protect the fundamental rights of the children (Switzerland);</p> <p>Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. Page 2</p>	Supported	<p>30.1 Children: definition; general principles; protection 30.3 Children: protection against exploitation 30.2 Children: family environment and alternative care 5.2 Institutions & policies - General 29.2 Violence against women, trafficking and exploitation of prostitution Affected persons: - children</p>	<p><i>Excerpts from the CRR HRLN Joint Submission:</i></p> <p>India continues to account for the highest number of child marriages in the world, despite legal and policy commitments to eliminate the practice. India's National Family Health Survey (NFHS) from 2005-06 indicated that nearly half (47%) of women aged 20-24 were married before age 18. While national-level data from the latest NFHS is not yet available, a study recently conducted by India's Ministry of Women and Child Development revealed that this figure remains high: nationally, over a third of women aged 20-24 were married before the age of 18, with several states reporting child marriage numbers around 40%, particularly at the lowest end of the wealth index (44%).</p> <p>Child marriage violates India's national laws, including rights protected by the Indian constitution. India's Prohibition of Child Marriage Act (PCMA) establishes penalties for promoting or conducting marriages involving a girl younger than 18 or a boy under 21 years of age.</p> <p>Despite penalizing child marriage, the PCMA violates human rights law by treating child marriages as legally voidable not void and by establishing a lower age of marriage for girls than boys. The PCMA contains overly restrictive provisions that make voiding a marriage difficult for girls. Girls are required to seek judicial authorization, which can be a barrier where girls lack the autonomy to access and pay for legal services. Further, child marriages are only voidable within two years of a child spouse reaching majority, a time at which married girls may face barriers to leaving a marriage because they are pregnant or have young children.</p> <p>The government admitted in a 2013 report that "on ground, implementation of PCMA[] 2006 has not been as effective as expected." Although the PCMA requires the appointment of Child Marriage Protection Officers (CMPOs) in every district in India to implement and enforce the PCMA, there is a lack</p>
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Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
			<p>of publically available information on how many states have appointed CMPOs and the training provided to CMPOs. Often, CMPO responsibilities are given to existing government officials who are thus overburdened or underqualified to perform their duties under the PCMA effectively. Prosecution for promotion or solemnization of child marriages remains very low—for example, in 2014, only 15 convictions were reported nationwide.</p> <p>The PCMA does not clarify whether it supersedes personal laws, leading to ambiguity concerning whether the minimum ages of marriage and the status of child marriages as voidable should be universally applied, or if the often lower ages of marriage and legal statuses of child marriage established under personal laws should prevail. Although a few state-level court decisions have held that that the PCMA supersedes personal laws, ambiguities remain due to a lack of a Supreme Court ruling or explicit legislative pronouncement.</p>
<i>Right or area: 30.3. Children: protection against exploitation</i>			
<p>138.103. Take more efforts to prevent children from sexual exploitation and separation from families, and give them the opportunity and assistance to grow up in an environment of freedom and dignity (Bahrain);</p> <p>Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3</p>	Supported	<p>30.3 Children: protection against exploitation 30.1 Children: definition; general principles; protection 30.2 Children: family environment and alternative care 5.2 Institutions & policies - General Affected persons: - children</p>	
<i>Right or area: 29.2. Gender-based violence</i>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.106. Take the necessary legislative, civil and criminal measures to provide the appropriate protection to women, and children that are victims of sexual abuse (Mexico); Source of position: A/HRC/21/10- Para. 138 & A/HRC/21/10/Add.1 - Para. page 6	Supported	29.2 Violence against women, trafficking and exploitation of prostitution 5.2 Institutions & policies - General 29.1 Discrimination against women 30.1 Children: definition; general principles; protection 30.3 Children: protection against exploitation 30.2 Children: family environment and alternative care Affected persons: - children - girls - women	Please see 138.41 for information on marital rape.
Right or area: 13.1. Liberty & security – general			
138.127. Ensure a safe working environment for journalists and take proactive measures to address the issue of impunity, such as swift and independent investigations (Austria); Source of position: A/HRC/21/10- Para. 138 & A/HRC/21/10/Add.1 - Para. page 6 Comments: A/HRC/21/10/Add.1 states at page 2: List of Recommendations Accepted by the Government of India; and at page 6: Ensure a safe working environment for journalists. (Austria)	Supported/ Noted	13.1 Liberty and security - general 5.2 Institutions & policies - General 14.3 Freedom of opinion and expression 16 Right to an effective remedy, impunity Affected persons: - general	
Right or area: 21. Economic, social & cultural rights – general measures of implementation			
138.129. Continue its efforts and actions in promoting social security and labour policy (Iran); Source of position: A/HRC/21/10- Para. 138 & A/HRC/21/10/Add.1 - Para. page 4	Supported	21 Economic, social & cultural rights - general measures of implementation 5.2 Institutions & policies - General 22.4 Right to social security 23.1 Right to work 23.2 Right to just and favourable conditions of work 23.3 Trade union rights Affected persons: - general	
138.130. Provide more resources for the enjoyment of economic and social rights, especially in favour of vulnerable groups like women, children, poor people and minorities (Viet Nam); Source of position: A/HRC/21/10- Para. 138 & A/HRC/21/10/Add.1 - Para. page 2	Supported	21 Economic, social & cultural rights - general measures of implementation 5.2 Institutions & policies - General Affected persons: - general	
Right or area: 17. Rights related to name, identity, nationality			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.131. Take the necessary measures to ensure birth registration on a universal basis, particularly for persons living in extreme poverty, belonging to religious minorities or in remote areas (Mexico); Source of position: A/HRC/21/10 - Para. 138	Noted	17 Rights related to name, identity, nationality 5.2 Institutions & policies - General 8 Equality & non-discrimination 24 Right to health - General 30.1 Children: definition; general principles; protection 32 Members of minorities Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups - persons living in poverty - persons living in rural areas	<i>Excerpts from the CRR HRLN Joint Submission:</i> Birth registration along with marriage registration are crucial to verify age at marriage. Although birth registration is mandatory in India, less than 25% of children in the poorest 20% of households—the most vulnerable to child marriage—had their births registered between 2005 and 2012. Despite a 2006 Supreme Court of India ruling mandating marriage registration, a 2013 amendment to mandate marriage registration was rejected in both houses of Parliament.
138.132. Ensure timely registration of all births (Holy See); Source of position: A/HRC/21/10 - Para. 138	Noted	17 Rights related to name, identity, nationality 5.2 Institutions & policies - General 24 Right to health - General 30.1 Children: definition; general principles; protection Affected persons: - children	See 138.131 for information on birth registration.
Right or area: 22.5. Human rights & extreme poverty			
138.140. Continue to strengthen its poverty alleviation strategies, as well as its child protection strategies, particularly against the exploitation of children (South Africa); Source of position: A/HRC/21/10 - Para. 138	Supported	22.5 Human rights & extreme poverty 30.1 Children: definition; general principles; protection 5.2 Institutions & policies - General 30.3 Children: protection against exploitation Affected persons: - children	
Right or area: 21. Economic, social & cultural rights – general measures of implementation			
138.141. Continue consolidating its programmes and socio-economic measures essential to achieve poverty reduction and social exclusion to the utmost wellbeing of its people (Venezuela (Bolivarian Republic of)); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 2	Supported	21 Economic, social & cultural rights - general measures of implementation 5.2 Institutions & policies - General 22.5 Human rights & extreme poverty 8 Equality & non-discrimination Affected persons: - general	
Right or area: 22.5. Human rights & extreme poverty			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.142. Continue efforts to eradicate poverty and to better living conditions as well as increase job opportunities (Kuwait); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 5	Supported	22.5 Human rights & extreme poverty 5.2 Institutions & policies - General 22.1 Right to an adequate standard of living - general 22.3 Right to adequate housing 23.1 Right to work Affected persons: - general	
138.143. Further strengthen the efforts in poverty eradication, paying special attention to the rural population (Myanmar); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 5	Supported	22.5 Human rights & extreme poverty 5.2 Institutions & policies - General 8 Equality & non-discrimination Affected persons: - persons living in rural areas	
138.144. Continue to advance the progress already underway on poverty eradication and improve the enjoyment of the most basic human rights of its people, especially women and children (Singapore); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 6	Supported	22.5 Human rights & extreme poverty 5.2 Institutions & policies - General 8 Equality & non-discrimination 29.1 Discrimination against women 30.1 Children: definition; general principles; protection Affected persons: - general - children - women	
<i>Right or area: 21. Economic, social & cultural rights – general measures of implementation</i>			
138.145. Continue encouraging socio economic development and poverty eradication (Cuba); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3	Supported	21 Economic, social & cultural rights - general measures of implementation 5.2 Institutions & policies - General 22.5 Human rights & extreme poverty 37 Right to development - general measures of implementation Affected persons: - general	
138.157. Continue to strengthen its programmes and initiatives geared towards guaranteeing the rights to health and education (Cuba); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3	Supported	21 Economic, social & cultural rights - general measures of implementation 5.2 Institutions & policies - General 24 Right to health - General 25 Right to education - General Affected persons: - general	See 138.153 for information on access to contraceptive information and services, including specifically violations arising from coerced and substandard sterilization.
138.158. Redouble its efforts in the field of education and health (Senegal); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 5	Supported	21 Economic, social & cultural rights - general measures of implementation 5.2 Institutions & policies - General 24 Right to health - General 25 Right to education - General Affected persons: - general	See 138.153 for information on access to contraceptive information and services, including specifically violations arising from coerced and substandard sterilization.

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<i>Right or area: 37. Right to development – general measures of implementation</i>			
138.168. Carry on its efforts in environmental and health policies, and continue to enforce its legislative measures on food security (Iran); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 4	Supported	37 Right to development - general measures of implementation 5.2 Institutions & policies - General 22.2 Right to food 24 Right to health - General Affected persons: - general	
<i>Right or area: 20.1. Human rights & counter-terrorism</i>			
138.169. Continue its efforts to achieve balance between its counterterrorism strategies and the need to forestall the spread of xenophobia (Trinidad and Tobago). Source of position: A/HRC/21/10 - Para. 138	Noted	20.1 Human rights & counter-terrorism 5.2 Institutions & policies - General 8 Equality & non-discrimination 9 Racial discrimination Affected persons: - general	
<i>Right or area: 5.1. Constitutional & legislative framework</i>			
138.48. Adopt the Prevention of Communal and Targeted Violence Bill addressing issues such as accountability of civil servants, standards of compensation for victims and elements of command responsibilities (Germany); Source of position: A/HRC/21/10 - Para. 138	Noted	5.1 Constitutional and legislative framework 5.3 Political framework & good governance 16 Right to an effective remedy, impunity 32 Members of minorities Affected persons: - general	
<i>Right or area: 25. Right to education</i>			
138.52. Enhance the coordination of both the central and state governments in an effective manner in order to guarantee the smooth implementation of the 2010 Right of Children to Free and Compulsory Education Act (Indonesia); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 4	Supported	25 Right to education - General 5.3 Political framework & good governance 5.2 Institutions & policies - General Affected persons: - general	
<i>Right or area: 6. Human rights education and training</i>			
138.55. Continue with action to include human rights education in the school curricula (Sri Lanka); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. Page 2	Supported	6 Human rights education, trainings 25 Right to education - General Affected persons: - children	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.60. Improve training on human rights by addressing law enforcement, especially police officers (Iraq); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 4	Supported	6 Human rights education, trainings Affected persons: - general	
<i>Right or area: 7.1. Context, statistics, budget, cooperation with civil society</i>			
138.63. Continue including civil society participation in the UPR process (Nicaragua); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 5	Supported	7.1 Context, statistics, budget, dissemination, civil society Affected persons: - general	
138.159. Increase the budget allocated to health from 1 percent of the GDP to 2 percent (Luxembourg); Source of position: A/HRC/21/10 - Para. 138	Noted	24 Right to health - General 7.1 Context, statistics, budget, dissemination, civil society Affected persons: - general	
<i>Right or area: 8. Non-discrimination</i>			
138.53. Enact comprehensive anti-discrimination legislation and ensure that there are adequate means of redress (Ireland); Source of position: A/HRC/21/10 - Para. 138	Noted	8 Equality & non-discrimination 9 Racial discrimination 5.1 Constitutional and legislative framework 16 Right to an effective remedy, impunity Affected persons: - general	
<i>Right or area: 23.1. Right to work</i>			
138.78. Continue to promote the right to equal opportunity for, and at, work (Holy See); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 6	Supported	23.1 Right to work 8 Equality & non-discrimination Affected persons: - general	
<i>Right or area: 29.1. Discrimination against women</i>			
138.81. Redouble efforts on ensuring gender equality and take measures to prevent gender discrimination (Bahrain); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3	Supported	29.1 Discrimination against women 8 Equality & non-discrimination 5.2 Institutions & policies - General Affected persons: - women	See 138.102, 138.153, 138.41 for information on gender discrimination arising from child marriage, marital rape, and coercive and substandard sterilization practices.

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.82. Review the budgets and social laws taking into account gender issues (Morocco); Source of position: A/HRC/21/10- Para. 138 & A/HRC/21/10/Add.1 - Para. page 5	Supported	29.1 Discrimination against women 8 Equality & non-discrimination 7.1 Context, statistics, budget, dissemination, civil society 5.1 Constitutional and legislative framework Affected persons: - women	
<i>Right or area: 8. Non-discrimination</i>			
138.134. Make efforts to eliminate the large gap that exists between the rich and the poor (Chad); Source of position: A/HRC/21/10- Para. 138 & A/HRC/21/10/Add.1 - Para. page 3	Supported	8 Equality & non-discrimination 22.4 Right to social security 21 Economic, social & cultural rights - general measures of implementation Affected persons: - general	
<i>Right or area: 2.1. Acceptance of international norms</i>			
138.3. Expedite the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, and adopt robust domestic legislation to this effect (United Kingdom of Great Britain and Northern Ireland); Source of position: A/HRC/21/10- Para. 138 & A/HRC/21/10/Add.1 - Para. page 3 Comments: A/HRC/21/10/Add.1 states at page 2: List of Recommendations Accepted by the Government of India; and at page 3: Finalise the ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. (Spain, Sweden, Switzerland, Timor-Leste, UK and Northern Ireland, USA, Australia, Austria, Botswana, Brazil, Czech Republic, Indonesia, Iraq, Italy, Maldives, Portugal, Republic of Korea)	Supported/ Noted	2.1 Acceptance of international norms 12.5 Prohibition of torture and cruel, inhuman or degrading treatment Affected persons: - general	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>138.4. Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and end impunity for security forces accused of committing human rights violations (United States of America);</p> <p>Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3</p> <p>Comments: A/HRC/21/10/Add.1 states at page 2: List of Recommendations Accepted by the Government of India; and at page 3: Finalise the ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. (Spain, Sweden, Switzerland, Timor-Leste, UK and Northern Ireland, USA, Australia, Austria, Botswana, Brazil, Czech Republic, Indonesia, Iraq, Italy, Maldives, Portugal, Republic of Korea)</p>	Supported/Noted	<p>2.1 Acceptance of international norms</p> <p>12.5 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>16 Right to an effective remedy, impunity</p> <p>Affected persons:</p> <p>- general</p>	
<p>138.6. Accelerate its domestic procedure for ratification including the adoption of the Prevention against Torture Bill by its Parliament (Republic of Korea);</p> <p>Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3</p> <p>Comments: A/HRC/21/10/Add.1 states at page 2: List of Recommendations Accepted by the Government of India; and at page 3: Finalise the ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. (Spain, Sweden, Switzerland, Timor-Leste, UK and Northern Ireland, USA, Australia, Austria, Botswana, Brazil, Czech Republic, Indonesia, Iraq, Italy, Maldives, Portugal, Republic of Korea)</p>	Supported	<p>2.1 Acceptance of international norms</p> <p>12.5 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>5.1 Constitutional and legislative framework</p> <p>Affected persons:</p> <p>- general</p>	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>138.7. Ratify promptly the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Italy);</p> <p>Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3</p> <p>Comments: A/HRC/21/10/Add.1 states at page 2: List of Recommendations Accepted by the Government of India; and at page 3: Finalise the ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. (Spain, Sweden, Switzerland, Timor-Leste, UK and Northern Ireland, USA, Australia, Austria, Botswana, Brazil, Czech Republic, Indonesia, Iraq, Italy, Maldives, Portugal, Republic of Korea)</p>	Supported	<p>2.1 Acceptance of international norms</p> <p>12.5 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>Affected persons:</p> <p>- general</p>	
<p>138.8. Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as soon as possible (Maldives);</p> <p>Source of position: A/HRC/21/10 - Para. 138</p> <p>Comments: A/HRC/21/10/Add.1 states at page 2: List of Recommendations Accepted by the Government of India; and at page 3: Finalise the ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. (Spain, Sweden, Switzerland, Timor-Leste, UK and Northern Ireland, USA, Australia, Austria, Botswana, Brazil, Czech Republic, Indonesia, Iraq, Italy, Maldives, Portugal, Republic of Korea)</p>	Supported	<p>2.1 Acceptance of international norms</p> <p>12.5 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>Affected persons:</p> <p>- general</p>	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>138.12. Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and ensure that the instrument of ratification is fully consistent with the Convention (Australia);</p> <p>Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3</p> <p>Comments: A/HRC/21/10/Add.1 states at page 2: List of Recommendations Accepted by the Government of India; and at page 3: Finalise the ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. (Spain, Sweden, Switzerland, Timor-Leste, UK and Northern Ireland, USA, Australia, Austria, Botswana, Brazil, Czech Republic, Indonesia, Iraq, Italy, Maldives, Portugal, Republic of Korea)</p>	Supported/Noted	<p>2.1 Acceptance of international norms</p> <p>12.5 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>Affected persons:</p> <p>- general</p>	
<p>138.15. Finalise the ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Botswana);</p> <p>Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3</p> <p>Comments: A/HRC/21/10/Add.1 states at page 2: List of Recommendations Accepted by the Government of India; and at page 3: Finalise the ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. (Spain, Sweden, Switzerland, Timor-Leste, UK and Northern Ireland, USA, Australia, Austria, Botswana, Brazil, Czech Republic, Indonesia, Iraq, Italy, Maldives, Portugal, Republic of Korea)</p>	Supported	<p>2.1 Acceptance of international norms</p> <p>12.5 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>Affected persons:</p> <p>- general</p>	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>138.16. Ratify the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, as well as its Optional Protocol (Brazil);</p> <p>Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3</p> <p>Comments: A/HRC/21/10/Add.1 states at page 2: List of Recommendations Accepted by the Government of India; and at page 3: Finalise the ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. (Spain, Sweden, Switzerland, Timor-Leste, UK and Northern Ireland, USA, Australia, Austria, Botswana, Brazil, Czech Republic, Indonesia, Iraq, Italy, Maldives, Portugal, Republic of Korea)</p>	Supported/Noted	<p>2.1 Acceptance of international norms</p> <p>12.5 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>5.2 Institutions & policies - General</p> <p>Affected persons:</p> <p>- general</p>	
<p>138.17. Expedite ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol (Czech Republic);</p> <p>Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3</p> <p>Comments: A/HRC/21/10/Add.1 states at page 2: List of Recommendations Accepted by the Government of India; and at page 3: Finalise the ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. (Spain, Sweden, Switzerland, Timor-Leste, UK and Northern Ireland, USA, Australia, Austria, Botswana, Brazil, Czech Republic, Indonesia, Iraq, Italy, Maldives, Portugal, Republic of Korea)</p>	Supported/Noted	<p>2.1 Acceptance of international norms</p> <p>12.5 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>5.2 Institutions & policies - General</p> <p>Affected persons:</p> <p>- general</p>	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>138.29. Accelerate the ratification process of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Indonesia);</p> <p>Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3</p> <p>Comments: A/HRC/21/10/Add.1 states at page 2: List of Recommendations Accepted by the Government of India; and at page 3: Finalise the ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. (Spain, Sweden, Switzerland, Timor-Leste, UK and Northern Ireland, USA, Australia, Austria, Botswana, Brazil, Czech Republic, Indonesia, Iraq, Italy, Maldives, Portugal, Republic of Korea)</p>	Supported	<p>2.1 Acceptance of international norms 12.5 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>Affected persons: - general</p>	
Right or area: 5.1. Constitutional & legislative framework			
<p>138.32. Conforms national legislation to international norms on the prevention of torture, to speed up the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and receive the Special Rapporteur on Torture (Switzerland);</p> <p>Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3</p> <p>Comments: A/HRC/21/10/Add.1 states at page 2: List of Recommendations Accepted by the Government of India; and at page 3: Finalise the ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. (Spain, Sweden, Switzerland, Timor-Leste, UK and Northern Ireland, USA, Australia, Austria, Botswana, Brazil, Czech Republic, Indonesia, Iraq, Italy, Maldives, Portugal, Republic of Korea)</p>	Supported/Noted	<p>5.1 Constitutional and legislative framework 12.5 Prohibition of torture and cruel, inhuman or degrading treatment 2.1 Acceptance of international norms 3.2 Cooperation with special procedures 5.2 Institutions & policies - General</p> <p>Affected persons: - general</p>	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.33. Take the necessary measures to ensure that the existing national legislation against torture and cruel and inhuman and degrading treatment incorporates the highest international standards in this area (Costa Rica); Source of position: A/HRC/21/10 - Para. 138	Noted	5.1 Constitutional and legislative framework 12.5 Prohibition of torture and cruel, inhuman or degrading treatment 2.1 Acceptance of international norms 5.2 Institutions & policies - General Affected persons: - general	
138.34. Prioritise the review and implementation of the Prevention Against Torture Bill, ensuring that it complies with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Maldives); Source of position: A/HRC/21/10 - Para. 138	Noted	5.1 Constitutional and legislative framework 12.5 Prohibition of torture and cruel, inhuman or degrading treatment 2.1 Acceptance of international norms 5.2 Institutions & policies - General Affected persons: - general	
138.36. Consider introducing a new bill to the Parliament, taking into full consideration of the suggestions of the Select Committee, and take further actions towards the ratification of Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Timor-Leste); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3 Comments: A/HRC/21/10/Add.1 states at page 2: List of Recommendations Accepted by the Government of India; and at page 3: Finalise the ratification of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. (Spain, Sweden, Switzerland, Timor-Leste, UK and Northern Ireland, USA, Australia, Austria, Botswana, Brazil, Czech Republic, Indonesia, Iraq, Italy, Maldives, Portugal, Republic of Korea)	Supported/ Noted	5.1 Constitutional and legislative framework 12.5 Prohibition of torture and cruel, inhuman or degrading treatment 2.1 Acceptance of international norms Affected persons: - general	
<i>Right or area: 12.5. Prohibition of torture and cruel, inhuman or degrading treatment</i>			
138.119. Guarantee effective access to justice in cases of human rights violations committed by security forces personnel with regard to the use of torture (Spain); Source of position: A/HRC/21/10 - Para. 138	Noted	12.5 Prohibition of torture and cruel, inhuman or degrading treatment 15.1 Administration of justice & fair trial 5.3 Political framework & good governance Affected persons: - general	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<i>Right or area: 12.7. Prohibition of slavery, trafficking</i>			
138.107. Accelerate its efforts on combating human trafficking (Iran); Source of position: A/HRC/21/10- Para. 138 & A/HRC/21/10/Add.1 - Para. page 2	Supported	12.7 Prohibition of slavery, trafficking 5.2 Institutions & policies - General Affected persons: - general	
138.108. Reinforce efforts to protect and rehabilitate the victims of trafficking (Ukraine); Source of position: A/HRC/21/10- Para. 138 & A/HRC/21/10/Add.1 - Para. page 2	Supported	12.7 Prohibition of slavery, trafficking 5.2 Institutions & policies - General Affected persons: - general	
138.109. Continue stepping up efforts in the area of fighting trafficking as well as consider the possibility of inviting the Special Rapporteur on trafficking in persons, especially in women and children, to visit the country (Belarus); Source of position: A/HRC/21/10- Para. 138	Noted	12.7 Prohibition of slavery, trafficking 3.2 Cooperation with special procedures 5.2 Institutions & policies - General Affected persons: - general	
138.110. Continue to strengthen its efforts to combat trafficking in persons by providing the necessary budget to establish a larger number of local bodies to combat this scourge (Paraguay); Source of position: A/HRC/21/10- Para. 138	Noted	12.7 Prohibition of slavery, trafficking 7.1 Context, statistics, budget, dissemination, civil society 5.2 Institutions & policies - General Affected persons: - general	
138.111. Implement monitoring mechanisms to stop people trafficking (Holy See); Source of position: A/HRC/21/10- Para. 138 & A/HRC/21/10/Add.1 - Para. page 2	Supported	12.7 Prohibition of slavery, trafficking 5.2 Institutions & policies - General Affected persons: - general	
<i>Right or area: 2.1. Acceptance of international norms</i>			
138.9. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and recognize the competence of its Committee, in accordance with articles 31 and 32 (Uruguay); Source of position: A/HRC/21/10- Para. 138	Noted	2.1 Acceptance of international norms 13.2 Enforced disappearances Affected persons: - disappeared persons - general	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.11. Consider the possibility of ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina); Source of position: A/HRC/21/10 - Para. 138	Noted	2.1 Acceptance of international norms 13.2 Enforced disappearances Affected persons: - disappeared persons - general	
138.20. Evaluate the possibility of ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Chile); Source of position: A/HRC/21/10 - Para. 138	Noted	2.1 Acceptance of international norms 13.2 Enforced disappearances 5.2 Institutions & policies - General Affected persons: - disappeared persons - general	
<i>Right or area: 14.2. Freedom of thought, conscience and religion</i>			
138.49. Reconsider laws and bills on religious conversion in several Indian states in the light of freedom of religion or belief in order to avoid the use of vague or broad terminology and discriminatory provisions (Germany); Source of position: A/HRC/21/10 - Para. 138	Noted	14.2 Freedom of thought, conscience and religion 5.1 Constitutional and legislative framework Affected persons: - general	
138.50. Reconsider current local legislation on freedom of religion, that uses vague or broad terminology and discriminatory provisions, and impedes the possibility for conversion of faith for those who wish to do so (Netherlands); Source of position: A/HRC/21/10 - Para. 138	Noted	14.2 Freedom of thought, conscience and religion 5.1 Constitutional and legislative framework Affected persons: - general	
138.125. Strengthen the Federal Government's effort to guarantee freedom of religion to everyone in this world largest democracy (Holy See); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 4	Supported	14.2 Freedom of thought, conscience and religion 5.2 Institutions & policies - General Affected persons: - general	
<i>Right or area: 14.3. Freedom of opinion and expression</i>			
138.126. Ensure that measures limiting freedom of expression on the internet is based on clearly defined criteria in accordance with international human rights standard (Sweden); Source of position: A/HRC/21/10 - Para. 138	Noted	14.3 Freedom of opinion and expression 2.1 Acceptance of international norms 5.1 Constitutional and legislative framework 5.2 Institutions & policies - General Affected persons: - general	
<i>Right or area: 15.1. Administration of justice & fair trial</i>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.117. Continue to carry out policies aimed at improving its judicial system, reforming the law enforcement bodies and reducing the level of crime and corruption (Russian Federation); Source of position: A/HRC/21/10 - Para. 138	Noted	15.1 Administration of justice & fair trial 5.2 Institutions & policies - General 5.3 Political framework & good governance Affected persons: - general	
138.122. Further promote equal access to justice for all , including by reducing backlog and delays in the administration of cases in court, providing more legal aids to the poor and marginalized, as well as increasing the use of alternative measures to pre-trial detention (Thailand); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. Page 2 Comments: A/HRC/21/10/Add.1 states at page 2: List of Recommendations Accepted by the Government of India; and at page 2: Further promote equal access to justice for all , including by reducing backlog and delays in the administration of cases in court, providing more legal aids to the poor and marginalized. (Thailand)	Supported/ Noted	15.1 Administration of justice & fair trial 8 Equality & non-discrimination 22.5 Human rights & extreme poverty 16 Right to an effective remedy, impunity Affected persons: - general	
Right or area: 16. Right to an effective remedy, impunity			
138.120. Implement effective judiciary proceedings making possible the bringing to justice security forces personnel who have committed human rights violations (France); Source of position: A/HRC/21/10 - Para. 138	Noted	16 Right to an effective remedy, impunity 12.5 Prohibition of torture and cruel, inhuman or degrading treatment 15.1 Administration of justice & fair trial Affected persons: - general	
138.121. Solve remaining cases of human rights violations and create an independent committee to receive claims against the police that were referred to by the Special Rapporteur on Human Rights Defenders (Iraq); Source of position: A/HRC/21/10 - Para. 138	Noted	16 Right to an effective remedy, impunity 5.2 Institutions & policies - General 15.1 Administration of justice & fair trial 41 Follow-up to special procedures Affected persons: - general	
Right or area: 19. Rights related to marriage & family			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.31. Amend the Special Marriage Act before its next review (Slovenia); Source of position: A/HRC/21/10 - Para. 138	Noted	19 Rights related to marriage & family 5.1 Constitutional and legislative framework Affected persons: - general	
<i>Right or area: 22.1. Right to an adequate standard of living - general</i>			
138.135. Allocate more resources in sectors that provide basic services such as health, education and employment opportunities (Malaysia); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 5	Supported	22.1 Right to an adequate standard of living - general 7.1 Context, statistics, budget, dissemination, civil society 23.1 Right to work 24 Right to health - General 25 Right to education - General Affected persons: - general	
<i>Right or area: 22.2. Right to food</i>			
138.136. Introduce a strategy to promote food security (Saudi Arabia); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 5	Supported	22.2 Right to food 5.2 Institutions & policies - General Affected persons: - general	
<i>Right or area: 22.3. Right to adequate housing</i>			
138.137. Continue to implement plans adopted in the area of housing and rehabilitation, particularly the plan launched in 2011 aimed at preventing the construction of new slums (Algeria); Source of position: A/HRC/21/10 - Para. 138	Noted	22.3 Right to adequate housing 5.2 Institutions & policies - General 22.1 Right to an adequate standard of living - general Affected persons: - general	
<i>Right or area: 22.6. Human rights & drinking water and sanitation</i>			
138.138. Ensure that every household enjoys the right to safe drinking water and sanitation (Slovenia); Source of position: A/HRC/21/10 - Para. 138	Noted	22.6 Human Rights & drinking water and sanitation Affected persons: - general	
138.139. Further accelerate the sanitation coverage and the access to safe and sustainable drinking water in rural areas (Myanmar); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 5	Supported	22.6 Human Rights & drinking water and sanitation Affected persons: - general	
<i>Right or area: 24. Right to health</i>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.146. Continue its efforts aimed at improving the level of public health in the country to attain better results in the area of health and access to health (Saudi Arabia); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 6	Supported	24 Right to health - General 5.2 Institutions & policies - General Affected persons: - general	
138.147. Establish measures at the national and state level to remove obstacles in terms of access by the population to pain palliative medicines (Uruguay); Source of position: A/HRC/21/10 - Para. 138	Noted	24 Right to health - General 5.2 Institutions & policies - General Affected persons: - general	
138.148. Provide every possible support and assistance to the national project for rural health to increase the standard of nutrition and improve public health and to strengthen the relationship between health and indicators such as sanitation and personal hygiene; (United Arab Emirates); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 2	Supported	24 Right to health - General 5.2 Institutions & policies - General 8 Equality & non-discrimination 7.1 Context, statistics, budget, dissemination, civil society Affected persons: - general - persons living in rural areas	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>138.150. Take further practical steps to reduce the high level of maternal and child mortality, inter alia, through better access to maternal health services (Austria);</p> <p>Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3</p>	Supported	<p>24 Right to health - General 29.1 Discrimination against women 30.1 Children: definition; general principles; protection</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - children - girls - women 	<p>Please see 138.102 and 138.153, on necessary steps to address adolescent maternal mortality and morbidity, including by eliminating child marriage, as well as ensuring women's access to the full range of modern contraceptive methods.</p> <p><i>Excerpts from the CRR HRLN Joint Submission:</i></p> <p>Child marriage is closely linked to negative reproductive health outcomes, including maternal mortality and morbidity, unsafe abortion, and early and unwanted pregnancy. One in six girls in India begins childbearing between the ages of 15- 19; such pregnancies typically occur within marriage. Pregnancy is dangerous for all women in India, which accounts for the highest number of maternal deaths globally. These risks are compounded for adolescent girls, who are twice as likely to die in pregnancy than women above the age of 20, and in India are less likely to receive proper antenatal care, less likely to be aware of the legal status of abortion or where to obtain a safe abortion, and more likely to have closely-timed and frequent pregnancies.</p>
<p>138.151. Further efforts towards addressing the challenge of maternal and child mortality (Egypt);</p> <p>Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3</p>	Supported	<p>24 Right to health - General 29.1 Discrimination against women 30.1 Children: definition; general principles; protection</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - children - women 	<p>Please see 138.102, 138.150, and 138.153, on necessary steps to address adolescent maternal mortality and morbidity, including by eliminating child marriage, as well as ensuring women's access to the full range of modern contraceptive methods.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>138.152. Strengthen its efforts to improve maternal health and acts to effectively balance the skewed sex-ratio among children, including by combating female foeticide (Norway);</p> <p>Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 6</p>	Supported	<p>24 Right to health - General</p> <p>29.1 Discrimination against women</p> <p>30.1 Children: definition; general principles; protection</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - children - girls - women 	<p>Please see 138.102, 138.150, and 138.153, on necessary steps to address adolescent maternal mortality and morbidity, including by eliminating child marriage, as well as ensuring women's access to the full range of modern contraceptive methods.</p>

<p>138.153. Take further measures to ensure all women without any discrimination access to adequate obstetric delivery services and sexual and reproductive health services, including safe abortion and gender-sensitive comprehensive contraceptive services (Finland);</p> <p>Source of position: A/HRC/21/10- Para. 138 & A/HRC/21/10/Add.1 - Para. page 6</p>	Supported	<p>24 Right to health - General 29.1 Discrimination against women Affected persons: - women</p>	<p><i>Excerpts from the CRR HRLN Joint Submission:</i></p> <p>Despite the Government's National Population Policy ("NPP"), which commits the Government to ensure a "voluntary and informed choice" and a "target free approach" in providing family planning services, state implementation policies continue to focus disproportionately on female sterilization at the expense of all other methods. This has resulted in violations of the Government's obligation to ensure women do not bear a disproportionate burden in family planning¹ and have access to a full range of contraceptive methods. Women and girls, including married girls who face risks of early pregnancy, lack access to non-surgical or non-permanent methods that would allow them to time and space pregnancies.²</p> <p>Doctors have reported that the state governments pressure local governmental officials and doctors to meet certain sterilization "quotas."³ Further, in certain states, there have been reports of penalties being imposed on women and their families, such as denial of government subsidies including food rations, unless they consent to sterilization.⁴ These pressures lead to violations of national guidelines on sterilization that require informed consent, counseling as to the full range of contraceptive methods, and quality and safe sterilization procedures.⁵</p> <p>Marginalized women tend to be the most impacted due to their lack of access to other forms of contraceptives and the fact sterilization is the only contraceptive method for which compensation for costs incurred is provided.⁶</p> <p>Female sterilization camps are routinely conducted in India under state policies and programs that set targets for female sterilizations and are funded through the country's national health program. Alarming, women face serious harms as a result of unsafe and potentially fatal sterilization procedures in such camps. For example, during a "mass sterilization drive" in Chhattisgarh state in November 2014, more than eighty women were paid 1,400 rupees (roughly</p>
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\$23) to undergo sterilization procedures in camps that were unequipped to sufficiently sanitize the facilities, perform quality operations, and provide adequate post-operative care.⁷ Thirteen women died.⁸ The judicial commission charged with investigating the incident attributed the deaths to “serious negligence,” poor operating conditions and poisonous post-operation medication.⁹ This highly publicized event is indicative of a broader pattern of abuse and human rights violations faced by women in mass-sterilization drives across India.

State policies and programs leading to sterilization abuse have been recognized by the Supreme Court of India as violating women’s rights as protected under the Indian constitution. In the 2005 case of *Ramakant Rai and Health Watch U.P. and Bihar v. Union of India*, the first public interest case filed in India against coercive sterilization practices targeting women, the Supreme Court ordered state governments to regulate healthcare providers who perform sterilization procedures and to compensate women who suffer complications due to substandard care and the families of the women who die from botched operations.¹⁰ As a result of the Supreme Court order, in 2006 and 2008, the Central Government adopted national sterilization guidelines and standards.¹¹ Despite the court’s order and the introduction of clear standards and guidelines, reports of substandard care, abuse, and discrimination in sterilization camps remain widespread and persist primarily because of the absence of proper monitoring mechanisms.¹²

In a commendable step, in September 2016, the Supreme Court of India issued a decision in the case of *Devika Biswas v. Union of India & Ors.* recognizing that the manner in which sterilization camps are being carried out in India violates women’s rights to health and reproductive rights, as protected under Article 21 of the Constitution of India.¹³ Significantly, the Supreme Court called on the Government to “reconsider the impact that

policies such as the setting of informal targets and provision of incentives by the Government can have on the reproductive freedom of the most vulnerable groups of society whose economic and social conditions leave them with no meaningful choice . . . [and] render them the easiest targets of coercion.”¹⁴ The Supreme Court ordered the Government to stop conducting sterilization camps within three years and to ensure informed consent for sterilization including through implementation of the *Ramakant Rai* orders.¹⁵ Further, the case calls for the Government to specifically take action in Chhattisgarh following the 2014 sterilization deaths, pass a national health policy promoting gender equity, establish a system of annual reporting for more effective oversight of states in implementing family planning policies, introduction of audits for every sterilization-related death, and improve compensation for sterilization deaths.¹⁶

Importantly, the Supreme Court stated that it was “pained to note the extremely casual manner in which some . . . [s]tates have responded” to the petition and criticized the lack of “any acceptable response to the allegations.”¹⁷ As a result, it ordered the chief justices in these states to initiate *suo moto* petitions in high courts of certain priority states to follow up on the decision.¹⁸ However, despite the failure of states to take these rights violations seriously, the Supreme Court failed to clearly mandate that states need to eliminate targets in contraceptive and population policies, but instead stated that it “leave[s] it to the good sense of . . . each State Government or Union Territory to ensure that such targets are not fixed so that health workers and others do not compel persons to undergo what would amount to forced or non-consensual sterilization merely to achieve the target.”¹⁹ It remains to be seen if state high courts will ensure the effective implementation and monitoring of the orders in this case and clear elimination of targets, as required to end coercive and abusive sterilization practices in India.

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
			<p>International treaties to which India is a party mandate that India recognizes the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.²⁰ States are under the obligation to respect this right to health by abstaining from discriminatory practices relating to women's health status and needs.²¹ Safeguarding a woman's right to exercise informed consent in making reproductive health decisions is fundamental to protecting her right to health. Women have the right to access safe, effective, affordable and acceptable contraceptive methods of their choice.²²</p> <p>U.N. bodies have expressly recognized women's rights to be free from unsafe and coercive sterilization.²³ The CEDAW Committee has obligated state parties to prohibit "forms of coercion, such as non-consensual sterilization . . . that violate women's rights to informed consent and dignity."²⁴ The Human Rights Committee has found that forced sterilization violates Article 7, which prohibits torture, cruel, inhuman or degrading treatment, and Article 17, ensuring the right to privacy, of the International Covenant on Civil and Political Rights.²⁵ Further, the Special Rapporteur on Violence against Women has described coercive sterilization as "a method of medical control of a woman's fertility without the consent of a woman," and has found that such forced sterilization results in "the battery of a woman — violating her physical integrity and security — forced sterilization constitutes violence against women."²⁶</p> <p>On March 11, 2015, several U.N. special procedures directed a letter (the Special Procedures' Letter) to the Government expressing "grave concern" about sterilization practices in India and in that context, reminded India of its obligation to eliminate torture and ill-treatment as well as gender-based violence.²⁷</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.154. Contribute to further reduction of maternal mortality through the establishment of an independent organ to accelerate programmes and projects in this area (Honduras); Source of position: A/HRC/21/10 - Para. 138	Noted	24 Right to health - General 29.1 Discrimination against women 5.2 Institutions & policies - General Affected persons: - women	
138.155. Intensify its efforts to sensitize and train medical professionals on the criminal nature of prenatal sex selection with a view to ensuring stringent enforcement of the legal prohibition of such practice (Liechtenstein); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. 155	Supported	24 Right to health - General 6 Human rights education, trainings 29.1 Discrimination against women 29.2 Violence against women, trafficking and exploitation of prostitution 30.1 Children: definition; general principles; protection Affected persons: - children - girls - women	
138.156. Take effective measures to fully implement National Rural Health Missions (Honduras); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 4	Supported	24 Right to health - General 5.2 Institutions & policies - General 8 Equality & non-discrimination Affected persons: - general	
Right or area: 25. Right to education			
138.115. Extend the minimum age to 18 years for any form of labour that prevents children from accessing a full education (Ireland); Source of position: A/HRC/21/10 - Para. 138	Noted	25 Right to education - General 5.1 Constitutional and legislative framework 30.1 Children: definition; general principles; protection 30.3 Children: protection against exploitation Affected persons: - children	Please see 138.102 for information on child marriage, which is a barrier to girls' education and has been recognized as a form of "servile marriage" that constitutes forced labor and a modern form of slavery.
138.149. Meet the stated commitment from the Common Minimum Program of 2004 to dedicate 3 percent of India's GDP to health and 6 percent to education (Slovenia); Source of position: A/HRC/21/10 - Para. 138	Noted	25 Right to education - General 5.2 Institutions & policies - General 7.1 Context, statistics, budget, dissemination, civil society 21 Economic, social & cultural rights - general measures of implementation Affected persons: - general - children - older persons - women	
138.160. Further promote children's right to education (Greece); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 4	Supported	25 Right to education - General 30.1 Children: definition; general principles; protection Affected persons: - children	Please see 138.102 for information on child marriage, which is recognized under human rights law as a significant barrier to girls' education.

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.161. Reinforce its efforts in provision of free and compulsory primary education (Slovakia); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 1	Supported	25 Right to education - General 5.2 Institutions & policies - General 7.1 Context, statistics, budget, dissemination, civil society 30.1 Children: definition; general principles; protection Affected persons: - children	Please see 138.102 for information on child marriage, which is recognized under human rights law as a significant barrier to girls' education.
138.162. Continue implementing a non-discriminatory and inclusive policy and guarantee quality education to all the girls and boys in its country (Ecuador); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3	Supported	25 Right to education - General 30.1 Children: definition; general principles; protection 5.2 Institutions & policies - General Affected persons: - children	Please see 138.102 for information on child marriage, which is recognized under human rights law as a significant barrier to girls' education.
138.163. Strengthen human rights training aimed at teachers in order to eliminate discriminatory treatment of children of specific castes, as well as appropriately follow-up on the results of the training that has occurred thus far (Japan); Source of position: A/HRC/21/10 - Para. 138	Noted	25 Right to education - General 6 Human rights education, trainings 8 Equality & non-discrimination 9 Racial discrimination 30.1 Children: definition; general principles; protection Affected persons: - children	
138.164. Ensure universal, compulsory and free education, carrying out on a priority basis measures aimed at eradicating discrimination, particularly discrimination that affects girls, marginal groups and persons with disabilities (Mexico); Source of position: A/HRC/21/10 - Para. 138	Noted	25 Right to education - General 29.1 Discrimination against women 30.1 Children: definition; general principles; protection 31.1 Persons with disabilities: definition, general principles 5.2 Institutions & policies - General 7.1 Context, statistics, budget, dissemination, civil society Affected persons: - children - women - persons with disabilities	Please see 138.102 for information on child marriage, which is recognized under human rights law as a significant barrier to girls' education.
138.165. Continue its efforts to promote the right to children's education and ensure the importance of the principles of children's education in the country (Qatar); Source of position: A/HRC/21/10 - Para. 138	Supported	25 Right to education - General 30.1 Children: definition; general principles; protection 30.3 Children: protection against exploitation Affected persons: - children	Please see 138.102 for information on child marriage, which is recognized under human rights law as a significant barrier to girls' education.
Right or area: 2.1. Acceptance of international norms			
138.19. Ratification of the Optional Protocol to the Convention on the Elimination of Discrimination against Women (Brazil); Source of position: A/HRC/21/10 - Para. 138	Noted	2.1 Acceptance of international norms 29.1 Discrimination against women Affected persons: - women	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.21. Consider signature and ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Czech Republic); Source of position: A/HRC/21/10 - Para. 138	Noted	2.1 Acceptance of international norms 29.1 Discrimination against women Affected persons: - women	
<i>Right or area: 2.2. Reservations</i>			
138.22. Remove reservations to the Article 16(1) of the Convention on Elimination of All Forms of Discrimination against Women (Finland); Source of position: A/HRC/21/10 - Para. 138	Noted	2.2 Reservations 29.1 Discrimination against women Affected persons: - women	
<i>Right or area: 2.1. Acceptance of international norms</i>			
138.23. Withdraw its reservations to Convention on the Elimination of All Forms of Discrimination against Women and consider signing and ratifying its Optional Protocol (Republic of Korea); Source of position: A/HRC/21/10 - Para. 138	Noted	2.1 Acceptance of international norms 2.2 Reservations 29.1 Discrimination against women Affected persons: - women	
138.38. Consider signing and ratifying the Optional Protocol to Convention on the Elimination of All Forms of Discrimination against Women (Costa Rica); Source of position: A/HRC/21/10 - Para. 138	Noted	2.1 Acceptance of international norms 29.1 Discrimination against women Affected persons: - women	
<i>Right or area: 29.1. Discrimination against women</i>			
138.42. Enact those pending bills that are aimed at empowering women, including the women's Reservation Bill and the amendments to Panchayati Raj Act (Netherlands); Source of position: A/HRC/21/10 - Para. 138	Noted	29.1 Discrimination against women 5.1 Constitutional and legislative framework 18 Right to participation in public affairs and right to vote Affected persons: - women	
<i>Right or area: 42. Follow-up to UPR</i>			
138.64. A fully integrated gender perspective in the follow up of this UPR (Norway); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 5	Supported	42 Follow-up to UPR 29.1 Discrimination against women 5.2 Institutions & policies - General Affected persons: - general	

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<i>Right or area: 29.1. Discrimination against women</i>			
138.84. Continue to promote its many initiatives for the eradication of all forms of discrimination against women (Trinidad and Tobago); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 2	Supported	29.1 Discrimination against women 8 Equality & non-discrimination 5.2 Institutions & policies - General Affected persons: - women	Please see recommendation 138.102 for information on child marriage, which constitutes one of the most widespread forms of gender-based discrimination and violence in India.
138.86. Continue following-up on steps taken to eliminate discrimination against women, including through awarenessraising and continuous strengthening of the relevant legal and institutional frameworks (Egypt); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 4	Supported	29.1 Discrimination against women 5.1 Constitutional and legislative framework 5.2 Institutions & policies - General 6 Human rights education, trainings Affected persons: - women	Please see recommendation 138.102 for information on child marriage, which constitutes one of the most widespread forms of gender-based discrimination and violence in India.
<i>Right or area: 29.2. Gender-based violence</i>			

<p>138.41. Enact comprehensive reforms to address sexual violence and all acts of violence against women, including “honour” crimes, child marriage, female feticide and female infanticide, and to remedy limitations in the definition of rape and the medico forensic procedures adopted for rape cases (Canada); Source of position: A/HRC/21/10 - Para. 138</p>	Noted	<p>29.2 Violence against women, trafficking and exploitation of prostitution 5.1 Constitutional and legislative framework 5.2 Institutions & policies - General 16 Right to an effective remedy, impunity 29.1 Discrimination against women Affected persons: - women</p>	<p>Please see recommendation 138.102 for information on child marriage, which constitutes one of the most widespread forms of gender-based discrimination and violence in India.</p> <p><i>Excerpts from the CRR HRLN Joint Submission:</i></p> <p>Married girls in India are more likely to suffer from physical and sexual abuse. A publication cosponsored by the government describes child marriage as “open[ing] the door to an endless and vicious cycle of domestic violence and abuse.” The National Family Health Survey indicates that 70% of 15-19 years old experienced violence over the past year. Thirty-two percent of married women aged 15-24 have experienced forced sex, with one in four reported that their first marital sexual experience was forced. Data from India reveals that girls married before 18 were twice as likely to report being beaten, slapped or threatened by their husbands and three times as likely to report being forced to have sex without their consent as were women who married later in life.</p> <p>National laws on sexual violence continue to allow child marriage to exempt perpetrators of what would otherwise be considered statutory rape from prosecution—marriage provides an exception to criminal penalties for rape unless it involves a girl below 15 years of age, despite the fact that sex with a child below the age of 18 years is generally criminalized. Child marriage is also not explicitly recognized as falling within the Protection of Women of Domestic Violence Act (2005) or the Juvenile Justice Act (JJA), limiting girls’ protections and access to legal and social services guaranteed under these laws. Similarly, although human rights law recognizes child marriage as leading to domestic servitude, child marriage is not clearly recognized as a violation of child labor laws that forbid employment (including as domestic workers) of children under the age of 14. Despite the recognition of the role of education in preventing child marriage under human</p>
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Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
			rights law, the national law mandating compulsory and free education only includes children until the age of 14 years.
138.85. Further strengthen measures to eliminate traditional harmful practices which are discriminatory against women and girls in particular child marriages, dowry related murders and honour killings (Chile); Source of position: A/HRC/21/10 - Para. 138	Noted	29.2 Violence against women, trafficking and exploitation of prostitution 5.2 Institutions & policies - General 13.1 Liberty and security - general 29.1 Discrimination against women 30.1 Children: definition; general principles; protection Affected persons: - children - girls - women	Please see recommendation 138.102 for information on child marriage, a harmful practice which constitutes one of the most widespread forms of gender-based discrimination and violence in India.
<i>Right or area: 30.1. Children: definition, general principles, protection</i>			
138.61. Set up State and District Commissioners for the Protection of Child Rights in all States and Districts (Ireland); Source of position: A/HRC/21/10 - Para. 138	Noted	30.1 Children: definition; general principles; protection 5.2 Institutions & policies - General 30.2 Children: family environment and alternative care 30.3 Children: protection against exploitation Affected persons: - children	
<i>Right or area: 30.3. Children: protection against exploitation</i>			
138.116. Implement the recommendations included in the OHCHR report on street children (A/HRC/19/35) (Hungary); Source of position: A/HRC/21/10 - Para. 138	Noted	30.3 Children: protection against exploitation 30.1 Children: definition; general principles; protection Affected persons: - children	
<i>Right or area: 30.1. Children: definition, general principles, protection</i>			
138.133. Continue its measures in order to increase opportunities for consultations on child rights issues with relevant stakeholders (Iran); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 4	Supported	30.3 Children: protection against exploitation 30.1 Children: definition; general principles; protection Affected persons: - children	
<i>Right or area: 30.3. Children: protection against exploitation</i>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.27. Continue to take legislative as well as policy measures to combat child labour and to ratify ILO Conventions 138 concerning Minimum Age for Admission to Employment and 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour and elaborate a timeline for the ratification of these instruments (Portugal); Source of position: A/HRC/21/10 - Para. 138	Noted	30.3 Children: protection against exploitation 2.1 Acceptance of international norms 5.1 Constitutional and legislative framework 5.2 Institutions & policies - General 23.1 Right to work 23.2 Right to just and favourable conditions of work 30.1 Children: definition; general principles; protection Affected persons: - children	
<i>Right or area: 2.1. Acceptance of international norms</i>			
138.30. Consider an early ratification of the third Optional Protocol to the Convention on the Rights of the Child, on a communication procedure (Slovakia); Source of position: A/HRC/21/10 - Para. 138	Noted	2.1 Acceptance of international norms 30.1 Children: definition; general principles; protection Affected persons: - children	
<i>Right or area: 30.3. Children: protection against exploitation</i>			
138.40. Strengthen protection of children's rights, including the ratification of the Convention on the Rights of the Child, by improving mechanisms and resources for the implementation of existing legislation, and by demonstrating higher conviction rates for crimes against children such as sexual exploitation, child labour, child forced-labour and child trafficking (Canada); Source of position: A/HRC/21/10 - Para. 138	Noted	30.3 Children: protection against exploitation 5.2 Institutions & policies - General 7.1 Context, statistics, budget, dissemination, civil society 5.1 Constitutional and legislative framework 15.1 Administration of justice & fair trial 16 Right to an effective remedy, impunity 12.7 Prohibition of slavery, trafficking 30.1 Children: definition; general principles; protection Affected persons: - children - girls	
138.46. Effectively implement existing legislation on child labour in line with India's international obligations and strengthen the judicial powers of the National Commission for Protection of Child Rights (Germany); Source of position: A/HRC/21/10 - Para. 138	Noted	30.3 Children: protection against exploitation 2.1 Acceptance of international norms 5.2 Institutions & policies - General 30.1 Children: definition; general principles; protection Affected persons: - children	Please see 138.102 for information on child marriage, which has been recognized as a form of "servile marriage" that constitutes forced labor and a modern form of slavery.

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.112. Ban all forms of child labour for children from ages 6 to 14 (Ireland) and ratify ILO Conventions No. 138 and no. 182 (Ireland); Source of position: A/HRC/21/10 - Para. 138	Noted	30.3 Children: protection against exploitation 2.1 Acceptance of international norms 5.2 Institutions & policies - General 30.1 Children: definition; general principles; protection Affected persons: - children	Please see 138.102 for information on child marriage, which has been recognized as a form of “servile marriage” that constitutes forced labor and a modern form of slavery.
138.113. Amend the Child Labour Act to ban child labour, and to sign and ratify ILO Conventions 138 concerning Minimum Age for Admission to Employment and 182 concerning the prohibition and immediate action for the elimination of the worst forms of child labour and elaborate a timeline for the ratification of these instruments (Norway); Source of position: A/HRC/21/10 - Para. 138	Noted	30.3 Children: protection against exploitation 2.1 Acceptance of international norms 3.3 Cooperation with other international mechanisms and institutions 5.1 Constitutional and legislative framework 23.1 Right to work 23.2 Right to just and favourable conditions of work 30.1 Children: definition; general principles; protection Affected persons: - children	Please see 138.102 for information on child marriage, which has been recognized as a form of “servile marriage” that constitutes forced labor and a modern form of slavery.
138.114. Continue the implementation of the national child labour project aiming at the rehabilitation of child labourers (Angola); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 2	Supported	30.3 Children: protection against exploitation 5.2 Institutions & policies - General 16 Right to an effective remedy, impunity Affected persons: - children	
Right or area: 8. Non-discrimination			
138.167. Ensure better protection for persons with disabilities and the elderly (Senegal); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 5	Supported	8 Equality & non-discrimination 31.1 Persons with disabilities: definition, general principles 31.3 Persons with disabilities: protection against exploitation, violence and abuse Affected persons: - persons with disabilities	
Right or area: 31.1. Persons with disabilities: definition, general principles			
138.166. Prioritise efforts to ensure that children with disabilities are afforded the same right to education as all children (Australia); Source of position: A/HRC/21/10 - Para. 138 & A/HRC/21/10/Add.1 - Para. page 3	Supported	31.1 Persons with disabilities: definition, general principles 25 Right to education - General Affected persons: - children - persons with disabilities	
Right or area: 32. Members of minorities			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
138.118. Prevent and pursue through the judicial process, all violent acts against religious and tribal minorities, Dalits and other casts (Holy See); Source of position: A/HRC/21/10 - Para. 138	Noted	32 Members of minorities 8 Equality & non-discrimination 9 Racial discrimination 15.1 Administration of justice & fair trial 16 Right to an effective remedy, impunity Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups	
<i>Right or area: 2.1. Acceptance of international norms</i>			
138.25. Consider the recommendation made by UNHCR to ratifying the Conventions relating to refugees and stateless persons (Ghana); Source of position: A/HRC/21/10 - Para. 138	Noted	2.1 Acceptance of international norms 35 Refugees & internally displaced persons 3.3 Cooperation with other international mechanisms and institutions Affected persons: - refugees and asylum-seekers - internally displaced persons	
<i>Right or area: 36. Human rights defenders</i>			
138.43. Enact a law on the protection of human rights defenders, with emphasis on those defenders facing greater risks, including those working on minority rights and the rights of scheduled castes and tribes (Czech Republic); Source of position: A/HRC/21/10 - Para. 138	Noted	36 Human rights defenders 5.1 Constitutional and legislative framework 8 Equality & non-discrimination 32 Members of minorities 33 Indigenous peoples Affected persons: - human rights defenders	
<i>Right or area: 41. Follow-up to special procedures</i>			
138.68. Implement the recommendations made by the Special Rapporteur on the rights of human right defenders following her visit in 2011, with particular emphasis on recommendations that concern defenders of women's and children's rights, defenders of minorities rights, including Dalits and Adavasi, and right to information activists (Norway); Source of position: A/HRC/21/10 - Para. 138	Noted	41 Follow-up to special procedures 5.2 Institutions & policies - General 36 Human rights defenders Affected persons: - human rights defenders	

¹ INTERNATIONAL INSTITUTE FOR POPULATION SCIENCES, GOVERNMENT OF INDIA MINISTRY OF HEALTH AND FAMILY WELFARE, NATIONAL FAMILY HEALTH SURVEY -4, STATE FACT SHEET, MADHYA PRADESH, 2015-2016 (2016), available at http://rchiips.org/nfhs/factsheet_NFHS-4.shtml [hereinafter NATIONAL FAMILY HEALTH SURVEY: MADHYA PRADESH]. These statistics reveal a "shocking gender imbalance" focusing Indian population control on female sterilization. See Farhan Javed, *The Sterilized and Subjugated: Population Control and The Plight of Indian Women*, HARVARD INTERNATIONAL REVIEW (April 15, 2015) available at <http://hir.harvard.edu/the-sterilized-and-subjugated-population-control-and-the-plight-of-indian-women/>.

- 2 INTERNATIONAL INSTITUTE FOR POPULATION SCIENCES, GOVERNMENT OF INDIA MINISTRY OF HEALTH AND FAMILY WELFARE, NATIONAL FAMILY HEALTH SURVEY-4, STATE FACT SHEET, BIHAR, 2015-2016 (2016), available at http://rchiips.org/nfhs/factsheet_NFHS-4.shtml; NATIONAL FAMILY HEALTH SURVEY: MADHYA PRADESH, *supra* note 61.
- 3 Annie Gowen, *Indian investigators suspect tainted drugs involved in botched sterilizations*, WASHINGTON POST (November 14, 2014) available at https://www.washingtonpost.com/world/doctor-arrested-after-botched-sterilization-at-india-camp-kills-13/2014/11/13/a50991d6-6b06-11e4-a31c-77759fc1eacc_story.html; Maneeva Naqvi, *Doctor arrested after India sterilization deaths*, USA TODAY (November 13, 2014) available at <http://www.usatoday.com/story/news/world/2014/11/13/india-sterilization-deaths/18957653/> (finding that although the Indian government said it stopped setting targets for sterilizing women in the 1990s, doctors and human rights workers have alleged for years that targets exist, which would lead to inevitable coercion in villages where most people have limited access to education and health care); *Botched sterilizations kill 12 in India*, AL JAZEERA (November 12, 2014) available at <http://america.aljazeera.com/articles/2014/11/12/india-gender-sterilizationwomen.html>.
- 4 See Milind Ghatwai, *No sterilisation, no ration: MP Sarpanch's new order*, THE INDIAN EXPRESS (Mar. 8, 2012) available at <http://www.indianexpress.com/news/no-sterilisation-no-ration-mp-sarpanchs-new-order/921445/>.
- 5 Jason Burke, *Indian women die after state-run mass sterilisation campaign goes wrong*, THE GUARDIAN (last accessed February 7, 2016) available at <http://www.theguardian.com/world/2014/nov/11/indian-women-die-mass-sterilisation-camp>.
- 6 *Id.*
- 7 *Id.*; Sugam Pokharel and Sumnima Udas, *India: 11 women die, 62 more hospitalized after being paid to be sterilized*, CNN (November 12, 2014) available at <http://www.cnn.com/2014/11/11/world/asia/india-sterilization-deaths/>.
- 8 Raksha Kumar, *India's lethal contraception culture*, AL JAZEERA AMERICA (last accessed February 4, 2016) <http://america.aljazeera.com/multimedia/2015/2/female-sterilization-in-india.html>.
- 9 India Today, *Chhattisgarh: Negligence, sub-standard drugs led to sterilisation camp deaths* (December 24, 2015) <http://indiatoday.intoday.in/story/negligence-sub-standard-drugs-led-to-sterilization-camp/1/554872.html>.
- 10 Ramakant Rai v. Union of India W.P., (C) No. 209 of 2003 (Dec. 6, 2007) (India) available at <http://www.escr-net.org/node/365195>.
- 11 In the light of the Court's order in the Ramakant Rai case, the Government of India through the Ministry of Health and Family Welfare formulated and disseminated the following guidelines for conducting safe sterilization operations: (1) STANDARDS FOR FEMALE AND MALE STERILISATION SERVICES (2006), available at <http://dhs.kerala.gov.in/docs/pdf/fwiec2.pdf>; (2) QUALITY ASSURANCE MANUAL FOR STERILIZATION SERVICES (2006) available at http://cfw.tg.nic.in/pdf/Quality_Assurance.pdf; (3) STANDARD OPERATING PROCEDURES FOR STERILIZATION SERVICES IN CAMPS (2008), available at <http://dhs.kerala.gov.in/docs/pdf/fwiec4.pdf>; and (4) MINISTRY OF HEALTH AND FAMILY WELFARE, 2008 OPERATIONAL GUIDELINES ON FIXED DAY STATIC APPROACH FOR STERILIZATION SERVICES UNDER THE FAMILY PLANNING PROGRAMME (2008), available at http://203.193.146.66/hfw/PDF/Services_Operational%20Guideline.pdf.
- 12 See HUMAN RIGHTS LAW NETWORK, FACT-FINDING REPORT ON STERILIZATION, ACCESS TO CONTRACEPTIVE INFORMATION AND SERVICES, AND WOMEN'S HEALTH IN BILASPUR DISTRICT, CHHATTISGARH, at 16-17 (2014), available at <http://www.hrln.org/hrln/images/stories/pdf/Report-Chhattisgarh-Sterilization-Fact-Finding-November-2014.pdf>.
- 13 Devika Biswas v. Union of India & Ors., (C) No. 95 of 2012, para. 81 (Sep. 14, 2016) (India), available at <http://www.lawkam.org/caselaw/sterilization-devika-biswas-india/10487/>.
- 14 *Id.* para. 87.
- 15 *Id.* paras. 88(2), 88(8).
- 16 *Id.* paras. 88(4), 88(6), 88(7), 88(15).
- 17 *Id.* para. 88(13).
- 18 *Id.*
- 19 *Id.* para. 88(10).
- 20 International Covenant on Economic, Social and Cultural Rights, adopted Dec. 16, 1966, art. 12(1), G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3 (entered into force Jan. 3, 1976).
- 21 ECSR Committee, *General Comment No. 14: The right to the highest attainable standard of health*, (22nd Sess., 2000), in Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies, at 86, para. 34, U.N. Doc. HRI/GEN/1/Rev.9 (Vol. I) (2008) [hereinafter ESCR Committee, *Gen. Comment No. 14*].
- 22 See ECSR Committee, *Gen. Comment No. 14*, *supra* note 82, para. 21; Convention on the Elimination of All Forms of Discrimination against Women, adopted Dec. 18, 1979, art. 12(1), G.A. Res. 34/180, U.N. GAOR, 34th Sess., Supp. No. 46, at 193, U.N. Doc. A/34/46, U.N.T.S. 13 (entered into force Sept. 3, 1981) [hereinafter CEDAW], (“States Parties should take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.”); *id.*, art. 16(1) (“States Parties should take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular to ensure, on a basis of equality of men and women . . . the same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education, and means to enable them to exercise these rights”); CEDAW Committee, *Concluding Observations: Democratic Republic of the Congo*, para. 36(f), U.N. Doc. CEDAW/C/COG/CO/6 (2012); *Uruguay*, para. 203, U.N. Doc. A/57/38 (2002); ESCR Committee, *General Comment No. 16: The*

equal right of men and women to the enjoyment of all economic, social and cultural rights, (34th Sess., 2005), in Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies, at 119, para. 29, U.N. Doc. HRI/GEN/1/Rev.9 (Vol. I) (2008).

- ²³ See generally Chairperson-Rapporteur of the Working Group on the issue of discrimination against women in law and in practice, *et al*, *Mandates of the Working Group on the issue of discrimination against women in law and in practice; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; and the Special Rapporteur on violence against women, its causes and consequences* [hereinafter Special Procedures' Letter], Annex.
- ²⁴ CEDAW Committee, *General Recommendation No. 24: Article 12 of the Convention (women and health)*, (20th Sess., 1999), in Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies, at 363-364, para. 22, U.N. Doc. HRI/GEN/1/Rev.9 (Vol. II) (2008) [hereinafter CEDAW Committee, *Gen. Recommendation No. 24*].
- ²⁵ Human Rights Committee, International Covenant on Civil and Political Rights, *General Comment No. 28: Equality of rights between men and women*, 68th Sess., paras. 11, 20, U.N. Doc. CCPR/C/21/Rev.1/Add.10 (2000); *see also* Report of Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Human Rights Council, para. 45, U.N. Doc. A/HRC/31/57 (2016).
- ²⁶ See Report of the Special Rapporteur on violence against women, its causes and consequences, Radhika Coomaraswamy, para. 51, U.N. Doc. E/CN.4/1999/68/Add.4 (1999).
- ²⁷ Special Procedures' Letter, *supra* note 85, at 4.