

**Press Statement: 16 May 2007**

**New Delhi, Bangkok, Geneva, New York**

## **Rights Groups Issue Concerns over India Uncontested bid for Re-election to the UN Human Rights Council**

In an open letter addressed to Indian prime Minister, Dr. Manmohan Singh, several human rights groups, including FORUM-ASIA, National Campaign on Dalit Human Rights (NCDHR), Asian Centre for Human Rights (ACHR), Centre for Organisation Research and Education (CORE), South Asia Forum for Human Rights (SAFHR), Peoples Watch (PW) and others, have demanded that India honour its commitments to human rights while it goes for an uncontested bid for its re-election to the UN Human Rights Council slated for 17 May 2007 at UN General Assembly in New York.

India has made voluntary pledges and commitments in its attempt for re-election which detail several tall claims. The government of India made 21 voluntary pledges and commitments in 2006 at the time of its first election to the Council; all pledges have been repeated verbatim and only two new commitments have been added in 2007. One is concerning the proposed establishment of the National Commission for Protection of Child Rights and the other is about efforts to adopt the Declaration on the Rights of Indigenous Peoples. It is also interesting to note that most of the pledges made by the government have so far not been met, except regarding the inception of the National Commission for Protection of Child Rights.

India has so far not ratified some of the key international human rights treaties and their accompanying optional protocols, as follows: the 1951 Convention on the Status of Refugees and its 1967 Protocol; the Migrant Workers Convention; the First Optional Protocol to ICCPR; the Second Optional Protocol to ICCPR; the Declaration under Article 14 of ICERD; the Optional Protocol to CEDAW; the Convention Against Torture (CAT); the Declaration under Article 22 of CAT; the Optional Protocol to CRC; and Article 77 of the Migrant Workers Convention. India has also refused to sign and ratify the Rome Statute on the International Criminal Court. All eight core ILO conventions on fundamental human rights are also pending ratification by the government of India.

FORUM-ASIA and its partner organisations strongly urge the Indian government to demonstrate its commitment to the promotion and protection of human rights by removing the following reservations that hamper the effective implementation of the provisions in the Treaties: Article 1, 9 and 13 of ICCPR, Article 29 of CEDAW.

The government needs to improve its cooperation with the special procedures of the Human Rights Council by responding quickly and in full to their communications, acting on their recommendations, issuing standing invitations and facilitating visits as requested. There are eight outstanding requests.

The concluding observations and recommendations of the UN treaty bodies need to be implemented in order for the government to demonstrate its sincerity in setting standards for others to follow. The concluding observations and recommendations of CEDAW and CERDs on the issues related to women and caste based discrimination assume significance in this regard.

There is a need to strengthen the national human rights institutions by vesting them with more powers for the effective promotion and protection of human rights. As an important member of the South Asian Association for Regional Cooperation (SAARC), India must take the lead by initiating a process for a fully functional regional human rights mechanism in South Asia. The SAARC Charter should also duly recognise and give prominence to Dalit rights as caste based discrimination affects an estimated 260 million people in South Asia alone.

Genuine intent to implement legislation, honour international commitments and ensure human rights to vulnerable groups like Dalits, Adivasis, de-notified tribes, women, minorities and others, must be made by the government. Civil, political, economic, social and cultural rights, including the right to development of the marginalised communities have remained to a great extent unrealised. The commitments made for the realisation of the MDGs and the Millennium Declarations have not been implemented and chronic poverty due to social, cultural and economic exclusion and discrimination are still endemic in India.

The reported incidents of extra-judicial killings—such as fake encounter killings like those recently reported from Jammu and Kashmir, Sohrabuddin and others by the Gujarat police—enforced disappearances; prevalence and use of draconian legislation like the Armed Forces Special Powers Act; and failure to protect human rights of vulnerable groups has put India's commitment to uphold human rights and fundamental freedom for all in jeopardy.

FORUM-ASIA et al strongly urges the government of India to respect and honour its national, regional and international commitments on human rights and fundamental freedoms for all by demonstrating its progress in implementing guidelines, principles and different mechanisms for the promotion and protection of human rights and make a seminal contribution in this field.



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