



**INDIAN AMERICAN
MUSLIM COUNCIL**
Formerly Indian Muslim Council-USA



INDIA

Stakeholder Report for the United Nations Universal Periodic Review

Submitted by The Advocates for Human Rights,

a non-governmental organization in special consultative status with ECOSOC since 1996;

Indian American Muslim Council;

and

Foundation The London Story

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Founded in 1983, **The Advocates for Human Rights** (“The Advocates”) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publication. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States.

Indian American Muslim Council (IAMC) is a Washington, D.C.-based apolitical and non-profit organization dedicated to promoting peace, pluralism and social justice through advocacy and outreach across communities. Founded in August 2002, IAMC is the largest advocacy organization of Indian Muslims in the United States, with 16 chapters across the country. IAMC strives to strengthen India’s secular institutions and promote peaceful ethnic and religious co-existence.

Foundation The London Story (TLS) is an Indian diaspora led non-profit organization based in Hague, Netherlands. Founded in 2020, TLS investigates the landscape of disinformation and hate speech to provide evidence-based policy, advocacy and technical solutions. We analyze and document hate speech and hate crimes against Indian minorities, and advocate for justice, peace, and collective action against grave human rights violations. For this UPR cycle, Foundation TLS is a stakeholder given its expertise on hate speech in India.

EXECUTIVE SUMMARY

1. State- and national-level governments continue to pass discriminatory legislation that limits religious freedom and conversion, allows the excessive use of force by police and the military, and grants impunity to State actors that violate international human rights norms. Peaceful protests in response to the passage of the Citizenship (Amendment) Act in 2019 have elicited communal violence against protesters and Muslims, as well as government crackdowns.
2. State and non-State actors have targeted Muslims during the COVID-19 pandemic, using incendiary language that blames Muslims for the spread of the virus, engaging in economic boycotts of Muslim-run businesses, and disproportionately prosecuting Muslims for violating lockdown.

I. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

Acceptance of international norms (Theme A12); Constitutional and legislative framework (Theme A41)

Status of Implementation: Partially Accepted, Not Implemented

3. During its third-cycle Universal Periodic Review, India supported thirteen recommendations to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).¹ The Government of India also noted nine recommendations to ratify the Optional Protocol to CAT, the Optional Protocols to the International Covenant on Civil and Political Rights (ICCPR), the International Convention for the Protection of All Persons from Enforced Disappearance, and to bring domestic legislation in line with international norms on the prevention of torture.² Seven of these noted recommendations included recommendations to ratify CAT. The Government of India has not implemented these recommendations.
4. India supported the United States of America's recommendation to "[e]nsure that laws are fully and consistently enforced to provide adequate protections for members of religious minorities, scheduled castes, tribes and other vulnerable populations."³ The Government noted the eight other recommendations related to constitutional and legislative framework.⁴ Of particular concern were the three recommendations calling on India to adopt a draft law on the prevention of torture and ensure that the law is in line with CAT. India has not implemented these recommendations.

Equality and non-discrimination (Theme B31); Freedom of thought, conscience and religion (Theme D42)

Status of Implementation: Partially Accepted, Not Implemented

5. India supported eleven recommendations pertaining to equality and non-discrimination, eight of which called on the Government to adopt laws or policies that prohibited or countered discrimination against minority communities and, in particular members of scheduled castes.⁵ India noted, however, Ireland's recommendation to "[i]ntensify efforts

to guarantee equality and non-discrimination in line with its international obligations by developing public human rights awareness programmes and taking concrete steps to advance the rights of women and girls, members of religious minorities, and lesbian, gay, bisexual, transgender and intersex persons and to combat caste-based discrimination, including to: criminalize marital rape; decriminalize consensual same-sex relations; and establish appropriate policies and practices for registering, investigating and prosecuting violence against women, girls and members of religious minorities.”⁶ India has not implemented these recommendations.

6. The Government of India supported two recommendations on the freedom of thought, conscience and religion. The Republic of Korea recommended that India “[c]ontinue its efforts to protect religious freedom and the rights of minority groups based on its Constitution and other relevant laws” and Lebanon recommended that it “[c]ontinue to develop laws and make efforts to ensure freedom of religion and belief.”⁷ India also noted seven recommendations to repeal laws that limited religious conversion and address discrimination and violence against religious minorities.⁸ The Government has not implemented these recommendations.
7. State and non-State actors disproportionately target Muslims, Christians, Dalits, and other minority communities in India, in part through anti-cow slaughter legislation. These laws criminalize slaughtering cows for food. Hindus, largely, do not eat beef.
8. In Uttar Pradesh, authorities use cow slaughter bans to target Muslims, arresting 4,000 individuals in August 2020 over allegations that they slaughtered cows.⁹ State-level authorities used the National Security Act, which allows them to detain a person for the sake of security for up to one year without filing any charges, against 76 of those accused of cow slaughter.¹⁰
9. The Indian government has also disproportionately targeted Muslims during the COVID-19 pandemic, accusing members of the Muslim Tablighi Jamaat community of spreading the corona virus.¹¹ Members of the ruling Bhartiya Janata Party (BJP) claimed that Muslims spread the virus “like terrorism” and participated in a “Corona Jihad.”¹²
10. In the months following a nationwide lockdown in March, social media and WhatsApp groups recorded an extremely high number of “calls for social and economic boycotts of Muslims,” along with considerable disinformation linking Muslims to the corona virus.¹³
11. Muslims largely remain at risk of contracting the corona virus due to “unsafe and poor working conditions...[and a] lack of adequate social and economic protection.”¹⁴ Muslims are economically marginalized after having been pushed out of formal working sectors and dependent on informal sectors and self-employment for their subsistence.¹⁵
12. During the COVID-19 pandemic and following incendiary comments by politicians and the media, a group of people in Haldwani, Uttarakhand, forced multiple Muslim fruit sellers to shut down their shops due to fears that the Muslim community was spreading of the COVID-19.¹⁶ Hindu fruit sellers were not forced to close.
13. Hindus in a village in Mangalore, Karnataka, hung a poster stating that “no Muslim trader is allowed into the village till [sic] the coronavirus has completely gone away. Signed: All Hindus, Kolya.”¹⁷

14. During the pandemic, some Muslims were denied access to necessary healthcare facilities, leading to an increased risk of serious health problems. In April 2020, a number of pregnant Muslim women and Muslim cancer patients were refused access to healthcare by multiple hospitals because of their religious belief.¹⁸ The media has also reported that the state-run public hospital Ahmedabad Civil set up “segregated wards for Muslim and Hindu patients” in a treatment facility for COVID-19 patients.¹⁹
15. State police face various allegations of overwhelmingly arresting Muslims and other members of marginalized communities for violating lockdown restrictions during the COVID-19 pandemic.²⁰ Other marginalized communities that face disproportionate numbers of arrests for lockdown violations include low-income workers and members of Scheduled Castes, Scheduled Tribes, and De-notified Tribes.²¹
16. In November 2020, the Uttar Pradesh state government adopted the Prohibition of Unlawful Conversion of Religious Ordinance, which prohibits forced religious conversion by marriage, punishable by up to ten years in jail.²² Muslim men have largely been targeted under this law²³ and it further reinforces stereotypes that Muslim men coerce Hindu women to convert after marriage.²⁴
17. Besides Uttar Pradesh, nine other states have laws that limit religious conversion, including Arunachal Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Odisha, Rajasthan, and Uttarakhand.²⁵ Chhattisgarh, Madhya Pradesh, Uttarakhand, and Uttar Pradesh, require potential converts to inform district authorities at least one month before any intended conversions.²⁶ These four states, along with Himachal Pradesh and Odisha, prohibit religious conversion by “force” or fraud. It is also illegal in Himachal Pradesh and Odisha to aid such forceful or fraudulent religious conventions.²⁷
18. On December 26, 2020, the Madhya Pradesh Freedom of Religion ordinance replaced the 1968 Freedom of Religion Act.²⁸ The new law is considered an anti-conversion law because it requires spouses in interfaith marriages to receive “permission from a district official” should one spouse wish to convert.²⁹ This ordinance allegedly is used to target Muslim men who wish to marry non-Muslim women. BJP members, both inside and outside of Madhya Pradesh, have praised the law as critical to protecting people, and primarily women, from forced conversions.³⁰
19. Parliament passed the Citizenship (Amendment) Act (CAA) in December 2019, providing an expedited path to Indian citizenship for non-Muslim immigrants from Muslim-majority countries in South Asia, though non-Muslims are not required to provide any proof of persecution in their respective home countries.³¹ The Act excludes and makes no provisions for Muslims from these countries, despite reported persecution of some Muslim minority communities in Pakistan and Afghanistan.³²
20. Opposition parties denounced the Act for violating “India’s secular foundations” and disenfranchising India’s Muslim population.³³ The explicit anti-Muslim nature of the CAA has led to numerous allegations that it violates Section 14 of the Constitution, which enshrines equality before the law.³⁴
21. One concern is that the Act can also be used to exclude Muslims from the National Register of Citizens (NRC), which would list all Indian citizens.³⁵ Being excluded from this registry could lead to the denaturalization and deportation of Indian Muslims,

statelessness, and prolonged detention.³⁶ In August 2019, 1.9 million residents of Assam, primarily Muslims, were excluded from the NRC, leading to widespread problems of obtaining legal identity documents, possible denationalization, and labeling Muslims excluded from the NRC as illegal migrants.³⁷

22. Following passage of the CAA, large-scale protests against its exclusion of Muslims occurred across the country, provoking arbitrary arrests, detention, excessive use of force, crackdown, and bans on assembly by the police.³⁸
23. The Government of India has quotas in education and government jobs for members of the Scheduled Castes (previously known as Dalits), but the Constitution also limits the definition of who belongs to the Scheduled Castes to Hindus, Sikhs, and Buddhists.³⁹ Members of the Scheduled Castes who have converted to Islam or Christianity lose their membership and access to the quota benefits. In February 2021, the Law Minister confirmed this loss of benefits in a public address.⁴⁰

Impunity (Theme B52)

Status of Implementation: Partially Accepted, Not Implemented

24. The Government of India supported the Holy See's recommendation to "[p]revent and pursue through the appropriate judicial means all violent acts against religious and tribal minorities, Dalits and lower castes."⁴¹ It also supported the Russian Federation's recommendation to "[s]trengthen efforts for the prevention of cases of intercommunal violence."⁴² The Government noted, however, four recommendations calling for the revision or repeal of the Armed Forces (Special Powers) Act, changes to intelligence gathering, and the adoption of the Prevention of Communal and Targeted Violence bill, all with an eye toward ending impunity.⁴³ These recommendations have not been implemented.
25. According to Human Right Watch, police do not always investigate reports of religious-based violence, instead charging potential witnesses and those reporting the alleged violations in order to intimidate them.⁴⁴ Arresting and charging the individuals coming to police to report human rights violations both explains why not all instances of a violence are investigated and also chills future reporting of violence to State authorities.

Human rights and counter-terrorism (Theme B8)

26. India did not receive any recommendations on human rights and counter-terrorism in its third-cycle Universal Periodic Review.
27. In August 2019, the Government of India converted Jammu and Kashmir from a state with its own government to a federally administered union territory.⁴⁵ Following this change to the territory's constitutional status, between 3,200 and 4,000 people were detained, many for months.⁴⁶ Government officials have allegedly only released detainees after coercing them to sign bonds in which they promise not to engage in any further political activity.⁴⁷ From August to December 2019, the Government of India initiated a security crackdown in the territory under the guise of fighting terrorism, including reportedly physically assaulting and torturing civilians.⁴⁸

28. As part of the security crackdown, Government officials have also restricted civilians' movement, postponed local assembly elections, and shut down internet and communication services. Internet and mobile services were restored in December 2019.⁴⁹
29. Though communication services have largely been restored, there are reports that the Government of India deployed a communication blockade in the last quarter of 2020, restricting the movement of journalists in Jammu and Kashmir.⁵⁰ According to a petition filed to the Supreme Court by the executive editor of the Kashmir Times, security forces have intimidated journalists. Government officials have also prevented a Kashmiri journalist from leaving the country to participate in a foreign news program.⁵¹

Extrajudicial, summary, or arbitrary executions (Theme D22); Prohibition of torture and cruel, inhuman or degrading treatment (Theme D25)

Status of Implementation: Partially Accepted, Not Implemented

30. India supported two of the five recommendations it received on the prohibition of torture and cruel, inhuman, or degrading treatment. These two recommendations concerned the proportionate use of force by police, security officers, and the military.⁵² The three recommendations that it noted, however, included calls to adopt the Prevention of Torture Bill, to modify the ability of law enforcement officials to use force under the Code of Criminal Procedure, and to ban the use of pellet guns.⁵³ The Government has not implemented these recommendations.
31. Members of the Indian military, state-level security forces, police, and paramilitary fighters have committed extrajudicial killings of Government-identified insurgent, separatist, and terrorist groups, staging the killings as encounters between Government forces and the victims.⁵⁴
32. State forces have not only extrajudicially killed members of insurgent, separatist, and terrorist groups. Amnesty International reported that soldiers in the Indian Army extrajudicially executed three laborers at an apple orchard in Kashmir in July 2020. Police in Uttar Pradesh also allegedly killed five men in custody during the same month.⁵⁵
33. Armed forces and police are not consistently held responsible for extrajudicial killings. In some instances, armed forces act with impunity and in others members of the armed forces and police alleged to have extrajudicially killed people have been indicted.⁵⁶
34. Uttar Pradesh police allegedly tortured ten Muslim men in December 2020 after arbitrarily arresting the men under the Prohibition of Unlawful Conversion of Religious Ordinance.⁵⁷
35. Torture while in police custody is a serious problem throughout India. The Commonwealth Human Rights Initiative found that police tortured more than 47 percent of detainees in Haryana.⁵⁸
36. Human rights defenders reported that police have employed torture, mistreatment, and arbitrary detention as a means to elicit false or forced confessions, despite legal protections against the use of torture to obtain confessions.⁵⁹
37. Amnesty International India reported that Delhi police tortured arrested protestors following riots in February 2020. Six police officers in Gujarat were also charged with

torturing and killing a man in police custody in July 2020. Police later allegedly destroyed evidence of the torture and death.⁶⁰

Right to liberty and security – general (Theme D31)

38. India did not receive any recommendations on the right to liberty and security in its third-cycle Universal Periodic Review.
39. Police have disproportionately targeted members of marginalized communities during the COVID-19 pandemic lockdown. In April 2020, police in Uttar Pradesh beat a Muslim man with their police batons for breaking lockdown requirements to buy necessities.⁶¹ The man was admitted to the hospital, but died two days after his beating.
40. According to the National Campaign Against Torture, 125 people died in police custody in 2019.⁶² Of the 125, 28 of the victims were either Muslim or members of the Dalit or tribal community. The report indicates that 74 percent of the deaths in police custody were caused by torture or foul play and 19 percent of victims died under suspicious circumstances.
41. Under the Armed Forces Special Power Act (AFSPA) State security forces are allowed to detain anyone “against whom reasonable suspicion exists” and use deadly force to “maintain law and order” in states or union territories that the central government has classified as a “disturbed area.”⁶³ The Indian Supreme Court ruled in 2016 that any death caused by security forces under the AFSPA should be investigated, yet it is unclear how often civilian deaths are investigated in the territories designated as “disturbed areas.”⁶⁴ Nagaland, parts of Arunchal Pradesh, Assam, and Manipur are all subject to AFSPA. There is also a version of the law in effect in Jammu and Kashmir.
42. Though the Government may investigate deaths caused by security forces under color of AFSPA, the law still grants immunity from civil prosecution to security forces.⁶⁵ The AFSPA violates Article 21 of the Indian Constitution (protection of life and personal liberty) and has been used to justify numerous human rights violations.⁶⁶
43. Communal violence against opponents to the CAA began in Delhi in February 2020. Government officials and lawmakers made inflammatory speeches, further provoking both peaceful protests and violent riots. Amnesty International India reported more than 500 people injured in the riots and 53 dead, mostly Muslims.⁶⁷
44. During one of these speeches, the Union Minister of State for Finance incited the attendees to chant “shoot the traitors of the nation.”⁶⁸ Days earlier, a member of the BJP told rioters that the anti-CAA protesters would enter their homes and “rape [their] sisters and daughters and kill them.”⁶⁹ Following his party’s win in Delhi elections, he said that he would “not leave even one of [the mosques] standing” in the city.⁷⁰
45. Amnesty International reports that during periods of communal violence, Delhi police have used excessive force against members of the public, detained and tortured peaceful protesters and those accused of rioting, and ignored the violence and destruction rioters inflicted upon peaceful protesters and public and private property.⁷¹ Following the communal violence, neither police nor government officials ordered an independent investigation into the communal violence.⁷²

Enforced disappearances (Theme D32); Arbitrary arrest and detention (Theme D33)

46. India did not receive any recommendations on enforced disappearances or on arbitrary arrest and detention in its third-cycle Universal Periodic Review.
47. The Government of India continues to refuse requests by the UN Working Group on Enforced or Involuntary Disappearances to conduct a country visit.⁷³ The Working Group first requested a country visit in 2010 and has not yet been granted permission. In February 2020, the Working Group identified seven individuals whose rights had been violated.
48. Police and Government officials deny allegations that they secretly detain individuals, despite reports that police have failed to file required arrest reports in hundreds of cases, leading to a large number of disappearances.⁷⁴ Some families of detainees also report that they were forced to bribe prison guards to get information or confirmation that their family members were detained.
49. Human rights defenders report that the Delhi police have targeted and opened investigations into Muslims and anti-CAA protesters following the instances of Delhi communal violence.⁷⁵ Police have also detained and interrogated individuals without identifying themselves as police or producing arrest warrants.
50. Police have also used counterterrorism and sedition laws to detain peaceful anti-CAA protesters.⁷⁶ At least nine students have been arrested and detained following anti-CAA protests, including a pregnant woman and a former student leader.⁷⁷
51. The majority of human rights defenders protesting against the CAA remain in detention despite calls by the United Nation High Commissioner for Human Rights for their immediate release.⁷⁸
52. There are also reports that state-level police have arbitrarily arrested and detained Muslim men who enter into consensual interfaith marriages. In December 2020 in Uttar Pradesh, police arrested ten Muslim men under proposed legislation that severely restricts religious conversion on the basis of marriage.⁷⁹ At the time of arrest and detention, the bill had not passed neither the Uttar Pradesh nor national legislatures.

Freedom of opinion and expression (Theme D43)

Status of Implementation: Not Accepted, Not Implemented

53. India noted all five recommendations it received on the freedom of opinion and expression. These recommendations included calls to ensure that any legislation curbing the freedom of opinion and expression be brought in line with international standards and independently investigate all reports of violence against journalists.⁸⁰ The Government has not implemented these recommendations.
54. Journalists and NGOs have reported widespread restrictions on freedoms of the press and expression, in part through local and national Government officials' harassment and intimidation of and attacks against individual journalists, media owners, media sponsors, and communication services. Female journalists experienced a disproportionate amount of harassment and violence.⁸¹

55. The Reporters without Borders 2020 World Press Freedom Index reported that, following the May 2019 national elections, the Indian Government has increased pressure on journalists to align their reporting with the Government's position.⁸² When journalists have refused or published material that was critical of the Government, they have often been subject to criminal prosecution. In extreme cases, journalists have been charged with sedition, which carries a lifetime prison sentence.⁸³
56. Reporting in and on Jammu and Kashmir is particularly difficult. Government officials have restricted journalists' movement in the territory and threaten, summon, and attack journalists for covering issues within the region. In June 2020, the state-level government enacted a media policy that grants the Directorate of Information and Publication Relations the authority to "examine" media content for "fake news, plagiarism, and unethical or antinational activities" in order to preserve "law and order."⁸⁴
57. Government officials have also arrested, detained, and criminally charged community leaders for making speeches and posting messages on Twitter. During anti-CAA protests in February and September 2020, two student leaders were arrested and charged with sedition and under The Unlawful Activities Prevention Act, respectively.⁸⁵ In June 2020, Bengaluru police arrested and charged the former executive director of Amnesty International India with "intent to cause fear or alarm to the public, wantonly giving provocation with intent to cause riot, and abetting commission of an offense by the public" after he posted on Twitter that Indians should adopt some of the racial justice tactics in use abroad.⁸⁶
58. The Government has also restricted criticisms of its handling of the COVID-19 pandemic in both traditional media outlets and on social media. Officials have criminally charged journalists and media editors face criminal charges, temporarily shuttered media outlets, and allegedly pressured journalists to resign for critical reporting on state and national responses to the pandemic. Criminal charges have included sedition, spreading a false panic, promoting communal disharmony, criminal conspiracy, defamation, public mischief, and negligent acts likely to spread infection of disease dangerous to life. Others have been charged under the Scheduled Castes and Scheduled Tribes (prevention of Atrocities Act, the National Disaster Management Act and the Information Technology Act.⁸⁷
59. Non-state actors have also engaged in online harassment and physical violence against journalists in retaliation for the topics they have covered. Often, police do not identify, arrest, or prosecute suspects involved in the harassment, assault, and killing of journalists.⁸⁸
60. Fifty-seven journalists have been killed since 1992, seven of which were killed since 2020.⁸⁹ For example, in June 2020 two people allegedly shot a journalist six times in Uttar Pradesh after he reported on the corruption in sand mining.⁹⁰

II. RECOMMENDATIONS TO THE GOVERNMENT OF INDIA

61. The authors of this joint stakeholder report suggest the following recommendations for the Government of India:
- Repeal laws, such as the discriminatory and unconstitutional anti-conversion laws in the states of Arunachal Pradesh, Chhattisgarh, Gujarat, Himachal Pradesh,

Jharkhand, Madhya Pradesh, Odisha, Rajasthan, Uttarakhand, and Uttar Pradesh that discriminate against religious minorities. Repeal cow slaughter laws and action against consumption of beef.

- Enact a law providing for punishment of sectarian violence by individuals or groups, including propagating violence or threats of violence against religious and social minorities.
- Permit Scheduled Castes and Tribes to retain eligibility for reservations regardless of their religion and not be penalized for converting from Hinduism.
- Enact the Prevention of Torture law making torture by police and other law enforcement agencies a criminal offense punishable by imprisonment and fines.
- Ratify the U.N. Convention Against Torture and allow country visits to India by the U.N. Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Working Group on Enforced or Involuntary Disappearances.
- Investigate all allegations of human rights violations during counterterrorism operations, including of “fake encounter” killings and other extrajudicial executions, and prosecute those found responsible regardless of position. Ensure that salaries and/or retirement benefits of responsible officials should be directed instead to financial compensation for victims. An independent commission should be created to investigate the implementation of AFSPA and PSA and allegations of abuses.
- Investigate, prosecute, and end the practice of awarding promotions, wage increases, and service awards to government officials, police officers, and military personnel accused of violating human rights.
- Investigate and prosecute government officials, political leaders, and others who incite religious violence. Create a governmental inquiry into the activities of political leaders and members of the Rashtriya Swayamsevak Sangh- Bharatiya Janata Party and their affiliates who incite violence against religious minorities.
- Ensure that officials responsible for apprehension, arrest, detention, custody, and imprisonment follow applicable international standards, particularly relating to clear identification of law enforcement officials and official documentation of the arrest; access to family and legal counsel; examination upon admission to and regularly during detention; prompt and impartial investigation of all suspected cases of extra-legal, arbitrary and summary executions; and monitoring of all counterterrorism operations.
- Ensure that police training in counterterrorism operations includes respecting due process, nondiscrimination, and humane treatment.
- Provide rehabilitation through employment commensurate with qualifications to victims of illegal detention and torture, and create national policy to pay adequate

financial compensation to such victims and to the family of those killed in fake “encounter killings.”

- Create a national policy for providing financial compensation, a certificate of character and rehabilitative employment to individuals who have been wrongfully accused and subsequently acquitted of terrorism.

¹ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: India* (July 17, 2017), U.N. Doc. A/HRC/36/10. ¶ 161.8 Finalize the efforts to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as other international instruments, as recommended by relevant treaty bodies (Bulgaria); ¶ 161.5 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as previously recommended (Botswana); ¶ 161.6 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment urgently and in accordance with its commitments from the 2012 universal periodic review (Norway); ¶ 161.7 Ratify, before the next universal periodic review cycle, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Czechia); ¶ 161.9 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Greece) (Guatemala) (Italy) (Lebanon) (Montenegro) (Mozambique) (South Africa) (Sweden) (Turkey) (Ukraine) (United States of America); ¶ 161.11 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and ensure that the instrument of ratification is consistent with the Convention (Australia); ¶ 161.16 Redouble its efforts to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Republic of Korea); ¶ 161.17 Speed up the process for the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Israel); ¶ 161.18 Advance towards the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Chile); ¶ 161.19 Consider completing the process of ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Burkina Faso); 161.20 Complete the process of preparation for the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Russian Federation); ¶ 161.21 Intensify efforts to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark); ¶ 161.22 Strengthen national efforts towards the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Indonesia); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: India, Addendum* (Sept. 16, 2017), U.N. Doc. A/HRC/36/10/Add.1.

² Human Rights Council, *Report of the Working Group on the Universal Periodic Review: India* (July 17, 2017), U.N. Doc. A/HRC/36/10. ¶ 161.12 Swiftly ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, ensure that domestic legislation defines torture in line with international standards, and extend an invitation to the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment for an official visit to the country (Germany); ¶ 161.14 Ratify the Convention against Torture as soon as possible and further, ratify the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization and the Optional Protocols to Convention on the Elimination of All Forms of Discrimination against Women and the International Covenant on Civil and Political Rights and abolish the death penalty as recommended by the Law Commission of India (Ireland); ¶ 161.13 Proceed with early ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as well as the International Convention for the Protection of All Persons from Enforced Disappearance (Japan); ¶ 161.15 Finalize the process of ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of All Persons from Enforced Disappearance (Kazakhstan); ¶ 161.29 Expedite efforts to ratify the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Sierra Leone); ¶ 161.10 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Portugal); ¶ 161.28 Promptly ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or

Punishment (Guatemala); ¶ 161.23 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol and swiftly move ahead with the Prevention of Torture Bill (Estonia); ¶ 161.30 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Greece) (Ukraine); ¶ 161.31 Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Burkina Faso); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: India, Addendum* (Sept. 16, 2017), U.N. Doc. A/HRC/36/10/Add.1.

³ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: India* (July 17, 2017), U.N. Doc. A/HRC/36/10. ¶ 161.72; Human Rights Council, *Report of the Working Group on the Universal Periodic Review: India, Addendum* (Sept. 16, 2017), U.N. Doc. A/HRC/36/10/Add.1.

⁴ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: India* (July 17, 2017), U.N. Doc. A/HRC/36/10. ¶ 161.24 Enact the Prevention of Torture Bill currently pending in the parliament in compliance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Turkey); ¶ 161.25 Adopt the draft law on the prevention of torture and other forms of cruel, inhuman or degrading treatment or punishment by complying with established international norms (Madagascar); ¶ 161.26 Adopt the draft law on the prevention of torture and ensure that it complies with the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Senegal); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: India, Addendum* (Sept. 16, 2017), U.N. Doc. A/HRC/36/10/Add.1.

⁵ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: India* (July 17, 2017), U.N. Doc. A/HRC/36/10. ¶ 161.75 Adopt laws and implement policies to suppress all forms of de facto discrimination against any person or group (Guatemala); ¶ 161.69 Adopt a comprehensive national plan on inclusion in order to combat persisting inequality, paying particular attention to persons in vulnerable situations such as women, children, persons with disabilities and minorities (Honduras); ¶ 161.81 Continue the fight against discrimination, exclusion, dehumanization, stigmatization and violence suffered by scheduled castes (Peru); ¶ 161.82 Take urgent measures to repeal the norms that discriminate against castes, and investigate and sanction the perpetrators of acts of discrimination and violence against them, in particular against the Dalits (Argentina); ¶ 161.83 Take the necessary measures to ensure effective implementation of the Scheduled Castes and Scheduled Tribes Act, notably through the training of State officials (France); ¶ 161.70 Strengthen the national framework to reduce all kinds of discrimination (Iraq); ¶ 161.61 Continues its endeavours in promoting and protecting the human rights of all its citizens in an inclusive manner (Nepal); ¶ 161.242 Take holistic measures to protect the rights of persons with disabilities, the elderly and other vulnerable groups (China); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: India, Addendum* (Sept. 16, 2017), U.N. Doc. A/HRC/36/10/Add.1.

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⁸ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: India* (July 17, 2017), U.N. Doc. A/HRC/36/10. ¶ 161.126 Strengthen efforts to guarantee freedom of religion and belief, especially by retracting so-called anti-conversion laws (Holy See); ¶ 161.127 Take all necessary measures to protect the rights of persons belonging to religious minorities, and repeal laws which restrict religious conversion (Netherlands); ¶ 161.129 Repeal the requisite legislation to stop violence and discrimination against religious minorities (Kenya); ¶ 161.130 Take visible policy and other measures to ensure the freedom of religion and belief and address the alarming trend of racism, racial discrimination, xenophobia and related intolerance including mob violence committed, incited and advocated by right-wing parties and affiliated extremist organizations against minorities, particularly Muslims, Christians, Sikhs and Dalits (Pakistan); ¶ 161.128 Abolish anti-conversion laws and grant access to justice to victims of religious violence and discrimination (Italy); ¶ 161.73 Take effective measures to combat rising instances of religious intolerance, violence and discrimination (Kazakhstan); ¶ 161.133 Guarantee freedom of religion or belief by implementing existing laws to better protect individuals belonging to minority groups from hate speech, incitement to religious violence, discrimination on religious grounds and forcible conversions (Canada); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: India, Addendum* (Sept. 16, 2017), U.N. Doc. A/HRC/36/10/Add.1.

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- ³⁷ United Kingdom Home Office, *Country Policy and Information Note India: Religious minorities and Scheduled Castes and Tribes*, (November 2021), 24.
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- ⁵³ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: India* (July 17, 2017), U.N. Doc. A/HRC/36/10. ¶ 161.74 Enact the Prevention of Torture Bill (South Africa); ¶ 161.98 Review the Code of Criminal Procedure as regards the use of force by law enforcement officials, in particular section 46 (Sierra Leone); ¶ 161.249 Immediately ban the use of pellet guns and hold accountable perpetrators who have used lethal force against unarmed civilians in “Indian-Occupied Kashmir” (Pakistan); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: India, Addendum* (Sept. 16, 2017), U.N. Doc. A/HRC/36/10/Add.1.
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