

[EU 2018 Annual Report on Human Rights and Democratisation - Country Updates on Human Rights and Democracy 2017](#)

See caste-related passages highlighted

India

India is a democratic and plural country where the 1950 Constitution, relevant legislation and robust institutions warrant its citizens' rights, along the core principles of secularism and equality. While India has an active and robust civil society and many relevant policy schemes, structural issues such as institutional capacities, unequal distribution of/or access to services and procedural hurdles can at times be impediments towards the implementation of legislations and policies in place. In this context, national human rights institutions such as the National Human Rights Commission (NHRC) and the State Human Rights Commissions will continue to play an important role. The National Commission for Minorities and the National Commission for Women, the National Commission for the Protection of Child Rights as well as States Human Rights Commissions will continue to be key players towards achieving the ambitious 2030 SDGs. Difficulties faced by an increasing number of NGOs in the context of the enforcement of the Foreign Contribution Regulation Act (FCRA) since 2011 has led to a slowdown of activities of large numbers of organisations and human rights defenders. Many are seeking to reobtain their licences in lengthy court proceedings.

There has been significant progress in the field of women and child rights. Recent efforts to change the cultural mind-set through official programmes for the empowerment of the girl child, such as "Save the Girl, Educate the Girl" have to be credited. The issue of child marriage is increasingly being addressed with successful awareness programmes including in Rajasthan. Despite increased awareness on the issue, sexual abuse of children remains an important concern of the authorities and public opinion. Notwithstanding this progress and existing legislations to combat violence against women in any form, including acts of sexual violence continue to be perpetrated including in insurgency-affected areas. Women from vulnerable communities, in particular those at the bottom of the caste hierarchy or Dalits and indigenous people are still most vulnerable to human trafficking. Police reforms and administrative reforms are under way with new structures to tackle this situation.

In 2017, the EU activities and events regularly addressed Human rights issues. The EU has been interacting with stakeholders in India in various formats and at various levels, including officials, dedicated human rights institutions, civil society representatives and the broader public. The EU has increasingly been using social media to interact on Human Rights issues with general public.

The EU continued to focus on efforts to combat discrimination and inequality, promoting gender equality and children's rights and defending the integrity of the person. The EU also supported Human Rights Defenders, interacting with the human rights defenders network, including during field trips. The EU Delegation to India maintained regular contacts with the National Human Rights Commission and established contacts to address difficulties faced by human rights defenders

The EU has been promoting establishment of a moratorium on the death penalty in India with a view of the abolition of the capital punishment. Regardless no execution was carried out in 2017, the death penalty remains on India's Statute Book, being awarded only in the "rarest of the rare cases".

The EU also afforded practical support to the realisation of human rights and the work of civil society actors through its programmes and projects. The EU is supporting CSO involvement in policy making

with a view to improving governance in priority sectors of the EU-India strategic partnership (water, clean energy, climate change mitigation and adaptation).

In its activities the EU joined forces with other stakeholders active in India, for example UN Women India, Plan India realising joint activities, for example the campaign #GirlsTakeOver to fight gender stereotypes and gender discriminatory behaviours or #SpotlightEndViolence.

The EU has been engaging with Indian political representatives during visits, including European Parliament Delegations' visit to India in February 2017 or High Representative/Vice President F. Mogherini visit to India in April 2017. At the EU - India Summit, held in October 2017, the leaders highlighted shared principles and values of democracy, freedom, rule of law and respect for human rights, and reiterated the importance India and the EU attach to human rights cooperation, including on gender equality and women empowerment in all spheres of life. In this regard, they looked forward to the next session of their dialogue to be held in New Delhi and supported enhancing interaction in international fora, in particular the UN General Assembly and the UN Human Rights Council.

In 2017 the EU has supported, through the European Instrument for Democracy and Human Rights (EIDHR), projects for approximately 6 million Euros. Given the scope of India the EU interventions were mostly limited to specific Indian states or its parts focusing also on most vulnerable communities with difficult access to government support schemes, excluded communities facilitating social inclusion, etc. The projects were addressing discrimination and violence against women, women and child rights, particularly to eliminate sex-selection (female infanticide), disability rights, promoting diversity in the workplace, gender wage parity and non-discrimination in the work environment, abolition of death penalty, inclusive policing in India, addressing police accountability and reforms, as well as support to Human Rights Defenders.

In December 2017 the EU Delegation launched another 10 projects financed under the EIDHR of overall value nearly 5.5 mil EURO to support local civil society organisations in their efforts to promote human rights based on the principles of equality, inclusion and non-discrimination, support to the implementation of the laws relating to caste discrimination, with a special focus on socially disadvantaged groups (Dalit women, Dalit persons with disabilities, LGBTQ, manual scavengers), as well as the children.

India is also a party to major international human rights instruments and committed to United Nations human rights bodies such as the UN Human Rights Council (HRC). In connection with its membership in the HRC until 31 December 2017. In the context of its third Universal Periodic Review (UPR) in May 2017, with strong participation of the EU Member States, it has pledged further action to improve the human rights situation and to fulfil its human rights obligations, with a particular emphasis on socio-economic development and the eradication of poverty.

The UPR was an opportunity to take stock of progress on a broad array of human rights and emerging trends. No less than 250 recommendations were made, many a reiteration of past recommendations, related to UN conventions, death penalty, financing of NGOs, women, children and LGBT rights. India accepted 152 recommendations. It was interesting to note that India accepted a large number of recommendations pertaining to Dalits. The ratification of the UN Convention against Torture (signed by India in 1997, but ratification still awaited), was also raised by many states at the third UPR.

With regard to child labour, a new benchmark was reached with the ratification in June 2017 of ILO conventions (138 and 182).

