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CONSEJO DE DERECHOS HUMANOS
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Tema 8 de la agenda

**SEGUIMIENTO Y APLICACIÓN DE LA DECLARACIÓN Y
PROGRAMA DE ACCIÓN DE VIENA**

**Información presentada por la Comisión Nacional de
Derechos Humanos de la India¹**

Nota de la Secretaría

La Secretaría del Consejo de Derechos Humanos ha recibido la siguiente comunicación², que se reproduce a continuación, de conformidad con el artículo 7 b) del reglamento que figura en la resolución 5/1 del Consejo de Derechos humanos, según el cual "La participación de las instituciones nacionales de derechos humanos se basará en las disposiciones y prácticas convenidas por la Comisión de Derechos Humanos, incluida la resolución 2005/74 de 20 de abril de 2005".

¹ La institución nacional de derechos humanos que presenta la información tiene la acreditación de la categoría "A" ante el Comité Internacional de Coordinación de las Instituciones Nacionales de Promoción y Protección de los Derechos Humanos.

² Se reproduce en el anexo tal como se recibió, en el idioma original solamente.

Annex

NATIONAL HUMAN RIGHTS COMMISSION OF INDIA

The motto of Commission is “*Sarve Bhavantu sukhinah*” [May all be happy]. In order to ‘better’ protect human rights, the National Human Rights Commission was constituted in October 1993 under the Protection of Human Rights Act, 1993. The strength of NHRC, India is its complete autonomy.

The Commission has a wide mandate. Its purview covers the entire range of civil and political, as well as economic, social and cultural rights. Areas facing terrorism and insurgency, custodial death, rape and torture, reform of the police, prisons, and other institutions such as juvenile homes, mental hospitals and shelters for women have been given special attention. The Commission has urged the provision of primary health facilities to ensure maternal and child welfare essential to a life with dignity, basic needs such as drinking water, food and nutrition, and highlighted fundamental questions of equity and justice to the less privileged, namely the Scheduled Castes and Scheduled Tribes and the prevention of atrocities against them. Rights of the disabled, displacement of population by mega projects, malnutrition and allegation of death by starvation, rights of the child, rights of women subjected to violence, sexual harassment and discrimination, and rights of minorities, have been the focus of the Commission’s action.

In last 14 years, the Commission received a large number of complaints relating to various human rights issues, besides taking suo motu cognizance in some cases on the basis of media reports etc. The Commission took up, among others, complaints relating to alleged starvation deaths in Orissa and Maharashtra, human rights violations faced by religious minorities in the wake of communal riots in Gujarat in 2002, allegations of Human Rights violations by the armed forces engaged in counter terrorism efforts in Punjab, Jammu and Kashmir and in the North East region and issues in the wake of land acquisition for a Special Economic Zone in Nandigram.

The Commission laid down stringent reporting requirements in respect of custodial deaths and rapes. The Commission has issued guidelines, among others, on deaths in alleged fake encounters, arrests, and protection of human rights in prisons. Besides redressing individual complaints, the Commission has made recommendations for systemic reforms in police, prisons and criminal justice system.

Though the Commission is a recommendatory body, the reports of the Commission are placed in the Parliament along with the action taken report by the Government. The Commission’s role is complementary to that of judiciary. In the last 14 years, the Commission has endeavoured to curb violation of human rights as well as to promote a culture of human rights in the country through various measures. These include syllabus for the introduction of human rights education from the school level up to the university level, mass awareness programme by way of imparting training and bringing out publications in English, Hindi and regional languages etc. In order to sensitize various stakeholders, the Commission has been organizing training programmes and workshops on Human Rights issues since its inception. In addition to monthly newsletters and Annual Reports, the Commission also brings out annual Journal and other publications. The website of the Commission, <http://nhrc.nic.in> gives updated information on the current status of each complaint.
