

INDIA: PERSECUCIÓN DE MINORÍAS Y REDUCCIÓN DEL ESPACIO PARA LA DISIDENCIA

AMNISTÍA INTERNACIONAL: INFORMACIÓN PARA EL 41 PERIODO DE SESIONES DEL GRUPO DE TRABAJO SOBRE EL EXAMEN PERIÓDICO UNIVERSAL, NOVIEMBRE DE 2022

RESUMEN

Este documento se ha preparado para el examen periódico universal (EPU) al que se someterá India en noviembre de 2022. En él, Amnistía Internacional evalúa la implementación de las recomendaciones formuladas a India en su anterior EPU, entre ellas la ratificación de la Convención contra la Tortura de la ONU, la prevención de la discriminación y la violencia contra las mujeres y las niñas, los miembros de minorías religiosas y de las castas y tribus reconocidas por la Constitución, los ataques contra periodistas y personas que defienden los derechos humanos, la prevención de la violencia religiosa y medidas para evitar el uso excesivo de la fuerza por agentes de las fuerzas de seguridad.

Además, evalúa el marco nacional de derechos humanos, incluidas las leyes que, tras haber sido reformadas, amenazan los derechos a la libertad de expresión y de reunión pacífica, como la Ley de Prevención de Actividades Ilegales, la Ley de Regulación de Contribuciones Extranjeras y las Normas sobre Tecnología de la Información (Directrices para Intermediarios y Código Deontológico de Medios Digitales), y discriminan a la población musulmana y a la comunidad LGBTI, como la Ley de Reforma de la Nacionalidad y la Ley de Protección de los Derechos de las Personas Transgénero. Finalmente, también evalúa el desempeño de las comisiones nacionales y estatales de derechos humanos y el creciente debilitamiento de sus facultades y de su independencia.

En relación con la situación de los derechos humanos sobre el terreno, Amnistía Internacional expresa su preocupación por la libertad de expresión y de reunión, las personas que defienden los derechos humanos, la discriminación por razón de casta, el derecho a la salud, el derecho a la intimidad, la violencia religiosa, la privación arbitraria de la nacionalidad, los derechos de los pueblos indígenas y los derechos de las mujeres.

El informe concluye con una serie de recomendaciones a India que, de aplicarse, contribuirían a mejorar la situación de los derechos humanos en el país.

SEGUIMIENTO DEL EXAMEN ANTERIOR

1. Desde el tercer Examen Periódico Universal de India en 2017, ha habido tímidos avances en relación con las recomendaciones respaldadas por el gobierno.
2. El gobierno aceptó recomendaciones sobre la prevención de la discriminación y la violencia contra las mujeres y las niñas,¹ los miembros de minorías religiosas² y de las castas (dalits) y tribus (adivasis) reconocidas por la Constitución³. Sin embargo, los crímenes de odio contra comunidades marginadas han aumentado con impunidad.⁴ Las autoridades tampoco han garantizado que los casos de violencia contra las mujeres y las niñas se registren e investiguen debidamente.
3. El gobierno se comprometió a llevar a cabo investigaciones independientes en todos los casos de ataques contra periodistas.⁵ Sin embargo, las personas que defienden los derechos humanos, incluidas las profesionales del periodismo, a menudo sufren ataques y son investigadas en aplicación de leyes antiterroristas por su actitud crítica hacia las autoridades.
4. El gobierno accedió a reforzar los esfuerzos para la prevención de la violencia religiosa.⁶ Aun así, se potenciaron y desplegaron las diferencias religiosas para crear tensiones entre la ciudadanía y obtener ventajas electorales.
5. El gobierno respaldó las recomendaciones sobre la adopción de medidas adecuadas para evitar el uso excesivo de la fuerza por las fuerzas de seguridad.⁷ Sin embargo, los agentes encargados de hacer cumplir la ley hicieron uso excesivo e innecesario de la fuerza para contener protestas pacíficas.
6. El gobierno se comprometió a ratificar la Convención de la ONU contra la Tortura y Otros Tratos o Penas Cruelles, Inhumanos o Degradantes,⁸ y aceptó solicitudes de visitas de relatores especiales.⁹ La tortura y otros malos tratos bajo custodia policial y judicial siguen siendo habituales, y no se ha aprobado legislación nacional para tipificarlos como delitos.

MARCO NACIONAL DE DERECHOS HUMANOS

Legislación nacional y derecho y normas internacionales de derechos humanos

7. India conservó leyes y aprobó reformas a leyes existentes que no son compatibles con las obligaciones que ha contraído en virtud del derecho internacional de los derechos humanos. La reforma de 2019 a la Ley de Nacionalidad de 1955 discrimina a la población musulmana,¹⁰ lo que es contrario al Pacto Internacional de Derechos Civiles y Políticos y a la Convención Internacional sobre la Eliminación de Todas las Formas de Discriminación Racial.¹¹
8. India amplió en 2019 el ámbito de aplicación de la pena de muerte a la agresión sexual con agravantes a menores de edad.¹²
9. Las reformas de 2019¹³ de la Ley de Prevención de Actividades Ilegales (UAPA) de 1967 califica a una persona de “terrorista” sin que medien garantías de un juicio justo.¹⁴
10. La Ley de Protección de los Derechos de las Personas Transgénero de 2019 establece un procedimiento administrativo que exige que las personas transgénero se sometan preceptivamente a cirugía de reasignación de género para que se reconozca legalmente su identidad de género.¹⁵
11. Las reformas de 2020 a la Ley de Regulación de Contribuciones Extranjeras (FCRA) prohíben que las organizaciones no gubernamentales (ONG) grandes transfieran fondos recibidos de donantes extranjeros a las ONG de base.¹⁶
12. Las Normas sobre Tecnología de la Información (Directrices para Intermediarios y Código Deontológico de Medios Digitales), aprobadas sin la necesaria consulta pública y a pesar de las demandas pendientes de resolución ante varios tribunales, limitan indebidamente el derecho a la libertad de expresión; violan el derecho a la intimidad al habilitar la censura en redes sociales, plataformas de transmisión y otras plataformas digitales; y facilitan que las autoridades lleven a cabo vigilancia ilegítima.¹⁷
13. Las instituciones nacionales y estatales de derechos humanos de India siguieron funcionando con mandatos restringidos, facultades limitadas y, en ocasiones, con capacidad y recursos limitados.¹⁸ La Comisión Nacional de Derechos Humanos (NHRC) no puede investigar violaciones de derechos humanos cometidas por miembros de

las fuerzas armadas. Varias comisiones estatales de derechos humanos siguen sin tener titulares permanentes de la presidencia. Una reforma de 2019 a la Ley de Protección de los Derechos Humanos hace que la NHRC sea más susceptible a las injerencias políticas, lo que es contrario a los Principios de París.¹⁹

14. Después del último examen, el gobierno ha recibido al relator especial sobre los derechos humanos al agua potable y al saneamiento²⁰ y ha aceptado la solicitud de visita del relator especial sobre los derechos humanos y el medio ambiente, pero todavía no ha respondido afirmativamente a 25 solicitudes de visita pendientes, algunas de las cuales se remontan casi 30 años atrás, como la del relator especial sobre la tortura.²¹

SITUACIÓN DE LOS DERECHOS HUMANOS SOBRE EL TERRENO

Libertad de expresión y de reunión

15. Sigue habiendo restricciones ilegítimas y de motivación política a los derechos a la libertad de expresión y de reunión pacífica. Medios de comunicación independientes, periodistas y activistas de derechos humanos son objeto de amenazas y de intimidación mediante el uso indebido de leyes financieras excesivamente amplias y de la censura de la información disidente.²² En Jammu y Cachemira, la policía ha agredido físicamente a periodistas.²³
16. El gobierno sigue usando disposiciones legales para restringir indebidamente protestas pacíficas. Se ha acusado a personas que se manifestaban pacíficamente de delitos previstos en la UAPA y el Código Penal indio, como los de sedición,²⁴ dañar sentimientos religiosos²⁵ y discurso de odio²⁶. Quienes protestan se enfrentan también al uso de fuerza excesiva por la policía y a la violencia de agentes no estatales.²⁷
17. Después de revocar la autonomía de Jammu y Cachemira, garantizada en la Constitución de India, el gobierno indio impuso un cierre de las comunicaciones en toda la región.²⁸ También en otros estados, el gobierno ha cerrado el acceso a Internet y a aplicaciones de redes sociales como Facebook, Twitter y WhatsApp para tratar de entorpecer las protestas.²⁹ La disidencia se reprime en Jammu y Cachemira también mediante una nueva política sobre medios de comunicación que da prioridad a la versión del gobierno frente a la del periodismo independiente.³⁰
18. Durante el confinamiento nacional impuesto tras el estallido de la pandemia de COVID-19, más de 50 periodistas fueron detenidos o acusados, en aplicación de las leyes del estado de excepción, por difundir “desinformación” o “noticias falsas”.³¹
19. El gobierno indio sigue haciendo un uso indebido de la FCRA para silenciar a las ONG. Desde el último examen de India, se han cancelado las licencias concedidas en virtud de la FCRA a 6.683 ONG³² y no se han renovado las licencias de numerosas organizaciones e instituciones académicas de prestigio, incluida OXFAM India.³³ En 2019, el gobierno indio obligó a Amnistía Internacional India a paralizar su actividad tras congelar sus cuentas bancarias sin previo aviso.³⁴

Defensores y defensoras de los derechos humanos

20. Las personas que defienden los derechos humanos siguen afrontando amenazas de muerte, intimidación, hostigamiento y ataques a manos de agentes estatales y no estatales con impunidad.³⁵ Las personas involucradas en el activismo de derechos humanos son hostigadas habitualmente con cargos de motivación política y los profesionales del periodismo se ven obligados a trabajar en condiciones laborales peligrosas.³⁶
21. Entre 2018 y 2021, la Agencia Nacional de Investigación (NIA), principal organismo antiterrorista de India, detuvo por cargos falsos de terrorismo a 16 activistas de derechos humanos que reclamaban justicia por presuntos abusos cometidos contra dalits y adivasis.³⁷

Discriminación por razón de casta y de etnia

22. Se cometen con impunidad crímenes de odio violentos contra las comunidades dalit y adivasi, y las minorías religiosas. En 2020³⁸ se denunciaron más de 50.000 delitos contra miembros de castas³⁹ y casi 8.000 contra tribus reconocidas por la Constitución.⁴⁰
23. Dos tercios de la población penitenciaria de India está en prisión preventiva, y los miembros de las comunidades dalit, adivasi y musulmana tienen una representación desproporcionada.⁴¹

24. Los miembros de las castas dominantes siguen recurriendo a los abusos sexuales y a la violencia para castigar, humillar y afirmar su poder sobre las mujeres y niñas dalits y adivasis.⁴²

Derecho a la salud, al trabajo y a la seguridad social

25. La gestión del gobierno indio de la pandemia de COVID-19 ha puesto de manifiesto deficiencias del sistema de sanidad pública.⁴³ El personal de salud comunitaria se ha visto obligado a trabajar muchas horas en condiciones laborales peligrosas y precarias sin una compensación adecuada ni equipos de protección.⁴⁴
26. Desde mayo de 2020, muchos estados han suspendido las protecciones legales de las que disponían los trabajadores y trabajadoras, como la regulación de las horas de trabajo y el derecho a fundar sindicatos y a afiliarse a ellos.⁴⁵
27. La información falsa de que la comunidad musulmana estaba propagando el COVID-19 hizo que se le negaran servicios de atención sanitaria.⁴⁶ Otras comunidades marginadas, como las de migrantes,⁴⁷ personas LGBTI⁴⁸ dalits y adivasis⁴⁹ están excluidas de los programas de ayuda patrocinados por el gobierno.
28. El gobierno ha creado el Fondo PM CARES para situaciones de emergencia como la pandemia de COVID-19, que, a pesar de que ha recaudado enormes donaciones de la ciudadanía y de empresas, sigue sin estar sometido a una supervisión independiente como la prevista en la Ley del Derecho a la Información.⁵⁰

Derecho a la privacidad

29. Preocupa la vigilancia e interceptación por el gobierno de comunicaciones privadas. En julio de 2020, el Proyecto Pegasus, iniciativa internacional de periodismo de investigación, sacó a la luz la vigilancia ilegítima de ciudadanos y ciudadanas indios mediante el presunto uso por el gobierno del programa espía Pegasus.⁵¹
30. Las autoridades también han usado tecnología de reconocimiento facial para hacer cumplir las medidas relativas al confinamiento impuestas por la COVID-19, identificar a votantes en las elecciones municipales y vigilar protestas sin que mediara una ley de protección de datos adecuada.⁵²

Violencia religiosa

31. Las autoridades no han impedido la violencia religiosa en el país. Con el gobierno del Partido del Pueblo Indio (BJP), los crímenes de odio contra la minoría musulmana y otras minorías han aumentado. Muchos hombres han sido linchados y muchos heridos por grupos parapoliciales de protección de las vacas.⁵³ A pesar de las peticiones de que se registren los crímenes de odio en el ámbito nacional, las estadísticas anuales sobre delincuencia que publica el gobierno indio no los incluye.
32. En 2020, más de 53 personas fueron víctimas de homicidio y cientos fueron desplazadas, en su mayoría musulmanas, durante actos de violencia religiosa entre miembros de las comunidades hindú y musulmana en Delhi.⁵⁴
33. Además, las autoridades han evitado sistemáticamente llevar ante la justicia a personal policial y figuras políticas sospechosos de participar en ataques a gran escala contra minorías religiosas.
34. El gobierno indio y muchos gobiernos estatales han aprobado leyes que criminalizan los matrimonios consensuales de personas de religiones diferentes, la transferencia de propiedades y la posesión de carne de vacuno.⁵⁵ Figuras políticas de diferentes partidos, sobre todo del BJP, han contribuido a las tensiones religiosas justificando la discriminación y propugnando en sus discursos el odio y la violencia contra las personas musulmanas.⁵⁶
35. Las comunidades cristiana y musulmana son hostigadas continuamente con cargos de conversión ilegítima de personas a su religión.⁵⁷

Privación arbitraria de la nacionalidad

36. Las autoridades del estado de Assam han hecho público el Registro Nacional de Personas Ciudadanas del que se ha excluido a casi dos millones de personas que, de este modo, han sido llevadas al borde de la detención y la apatridia. El único recurso disponible para no convertirse en apátridas es un organismo cuasijudicial cuyas actuaciones son arbitrarias y cuya toma de decisiones es discriminatoria.⁵⁸

Derechos de los pueblos indígenas

37. Miles de personas, especialmente las comunidades adivasis, siguen corriendo el riesgo de ser desalojadas forzosamente de su hogar y sus tierras para dar paso a grandes proyectos industriales.
38. Las leyes nacionales siguen sin reconocer plenamente los derechos de la población adivasi al consentimiento libre, previo e informado en relación con las decisiones que afectan a sus vidas, incluido el uso de sus tierras, territorios o recursos naturales.⁵⁹
39. En virtud de la Ley de Derechos Forestales, los estados rechazaron la petición de las personas que vivían en los bosques del país de permanecer en las tierras donde vivían tradicionalmente y, en 2019, el Tribunal Supremo, en relación con una demanda formulada por grupos de defensa de la vida silvestre, ordenó su desalojo. Según el Ministerio de Asuntos Tribales, casi dos millones de familias están amenazadas de desalojo.⁶⁰

Derechos de las mujeres

40. La discriminación y la violencia contra las mujeres y las niñas son generalizadas. En 2020 se denunciaron más de 371.503 delitos de violencia contra las mujeres, de los que más de 28.046 fueron casos de violación.⁶¹ Es probable que el número de casos reales sea mayor, pues el estigma y la discriminación a manos de la policía disuaden a las mujeres de denunciar la violencia de género. El gobierno indio se niega a tipificar como delito la violación conyugal alegando que “desestabilizaría la institución del matrimonio”.⁶²
41. Las mujeres siguen sufriendo violencia sexual y en el ámbito familiar, sobre todo a manos de sus esposos y de otros familiares, y acoso sexual en el lugar de trabajo, mientras que los perpetradores siguen gozando de impunidad.⁶³
42. En el estado de Karnataka, la prohibición del gobierno estatal de llevar el hiyab en las escuelas ha provocado el acoso continuo a las mujeres musulmanas en el país.⁶⁴

RECOMENDACIONES DE ACTUACIÓN DIRIGIDAS AL ESTADO OBJETO DEL EXAMEN

Amnistía Internacional insta al gobierno de India a:

Legislación nacional y derecho y normas internacionales de derechos humanos

43. Ratificar la Convención contra la Tortura y Otros Tratos o Penas Crueles, Inhumanos o Degradantes —que India firmó en 1997 y que se comprometió a ratificar durante su examen de 2017— y garantizar que la definición de tortura en la legislación nacional es acorde con las normas internacionales.
44. Ratificar el Convenio 169 de la OIT sobre Pueblos Indígenas y Tribales en Países Independientes y el Convenio 189 de la OIT sobre el Trabajo Decente para las Trabajadoras y los Trabajadores Domésticos.
45. Respalda el proyecto de principios y directrices de la ONU para la erradicación efectiva de la discriminación basada en el empleo y la ascendencia.
46. Limitar la imposición de la pena capital a los “más graves delitos”, es decir, el homicidio intencional, y establecer una moratoria oficial de las ejecuciones como primer paso hacia la abolición total de la pena de muerte.
47. Reformar la Ley de Protección de los Derechos Humanos para ampliar la autoridad de la Comisión Nacional de Derechos Humanos y de las comisiones estatales de derechos humanos a fin de reforzar su labor de promoción de los derechos humanos y garantizar que cuentan con personal y recursos adecuados, y su independencia de las injerencias políticas.
48. Reforzar la cooperación con los Procedimientos Especiales de la ONU y responder afirmativamente y sin más demora a sus peticiones de visita a India, en particular las del Grupo de Trabajo sobre Desapariciones Forzadas o Involuntarias y las de los relatores especiales sobre la tortura, los derechos de los pueblos indígenas y el derecho a la libertad de reunión y de asociación, y la relatora especial sobre el derecho a la libertad de expresión.

Libertad de expresión y de reunión pacífica

49. Derogar o revisar los artículos 124A, 295A, 298, 153A y 505 del Código Penal indio y las disposiciones de otras leyes que limitan indebidamente el derecho a la libertad de expresión, incluida la Ley de Prevención de Actividades Ilegales.
50. Garantizar que el uso de cualquier tecnología de vigilancia, incluida la de reconocimiento facial, respeta el derecho a la intimidad y está sometido a supervisión y revisión judiciales.
51. Terminar con la práctica de reducir la velocidad de la conexión a Internet y el acceso a aplicaciones de redes sociales o interrumpirlas por completo, que es una restricción excesiva y desproporcionada del derecho a la libertad de expresión.
52. Dejar de silenciar a la prensa mediante tácticas de intimidación financiera y poner en libertad inmediatamente a los y las periodistas detenidos por informar sobre cuestiones delicadas en el país.
53. Retirar la Nueva Política de Medios de Comunicación en Jammu y Cachemira.

Defensores y defensoras de los derechos humanos

54. Poner en libertad inmediata e incondicional a todas las personas detenidas únicamente por el ejercicio pacífico de su derecho a la libertad de expresión, reunión pacífica o asociación, y retirar todos los cargos formulados contra ellas.
55. Abrir investigaciones sin demora, exhaustivas, independientes e imparciales sobre amenazas, acoso, intimidación y ataques contra personas que defienden los derechos humanos.
56. Derogar la Ley de Regulación de Contribuciones Extranjeras y garantizar el derecho a la libertad de asociación, que incluye la capacidad de las organizaciones de la sociedad civil de tener acceso a financiación extranjera.

Discriminación y violencia por motivos de casta

57. En colaboración con la Autoridad Nacional de Servicios Jurídicos y las de distrito y con la Academia Judicial Nacional y las estatales, garantizar el cumplimiento efectivo de la Ley de Prevención de Atrocidades contra las Castas y Tribus Reconocidas por la Constitución (SC/ST POA), lo que incluye dar formación con el fin de impartir conocimientos y sensibilización a agentes encargados de hacer cumplir la ley, fiscales y funcionarios judiciales responsables de hacer cumplir dicha ley a nivel de distrito.
58. Garantizar que los agentes encargados de hacer cumplir la ley hacen constar sin demora y voluntariamente en sus partes iniciales de denuncia todas las denuncias de atrocidades basadas en la casta, tal como establece la SC/ST POA, y que quienes no cumplimentan estas partes, investigan y formulan actas formales de acusación en el plazo establecido son objeto de medidas legales y disciplinarias por negligencia en el cumplimiento de sus obligaciones.
59. Dar prioridad a la concienciación sobre los derechos de las mujeres y de las niñas, y garantizar su protección mediante la asignación de compensaciones adecuadas y puntuales, y la rehabilitación inclusiva y sostenible de las víctimas y sobrevivientes mediante orientación psicosocial y profesional.

Derecho a la salud, acceso a la ayuda de emergencia y derechos laborales

60. Garantizar que la totalidad del personal sanitario y de los trabajadores y trabajadoras esenciales reciben un salario equitativo que refleje el impacto de su labor en su salud y su seguridad, las dificultades específicas del trabajo y el impacto en su vida personal y familiar, con arreglo al derecho y las normas internacionales de derechos humanos.
61. Elaborar un plan que garantice que el sistema de salud pública cuenta con financiación y personal suficientes, lo que incluye aumentar las partidas presupuestarias destinadas al sector sanitario, una evaluación detallada de la cantidad de gastos en salud pública necesaria para garantizar que todas las personas pueden disfrutar del derecho a la salud, y opciones para financiar el aumento de los gastos en sanidad pública.

Violencia religiosa

62. Promulgar una nueva ley para prevenir y abordar la violencia comunitaria y religiosa selectiva que incorpore los principios internacionales de derechos humanos relativos a la responsabilidad superior y de mando, y a interponer recursos y obtener reparaciones.
63. Adoptar medidas para llevar ante la justicia, en juicios justos y sin posibilidad de imponer la pena de muerte, a todas las personas —incluidos dirigentes políticos, policías y autoridades gubernamentales— responsables de abusos contra los derechos humanos cometidos durante incidentes pasados de violencia masiva contra miembros de minorías religiosas.
64. Establecer un programa integral de protección de víctimas y testigos a nivel nacional y estatal, independiente de organismos estatales como la policía y dotado de los recursos necesarios.
65. Hacer rendir cuentas a los funcionarios públicos que hagan apología del odio religioso que constituya incitación a la discriminación, la hostilidad o la violencia.

Derechos de las mujeres

66. Ordenar al gobierno central y a todos los gobiernos estatales que establezcan protocolos operativos, códigos de conducta y mecanismos de rendición de cuentas estandarizados para el personal policial, compatibles con las normas internacionales, para la gestión, registro e investigación exhaustiva e imparcial sensibles al género de casos de violencia contra las mujeres, y garantizar que los funcionarios que no lo hagan rinden cuentas de sus actos.
67. Eliminar la excepción relativa a la violación conyugal de la definición de violación contenida en el artículo 375 del Código Penal de India.
68. Instruir al gobierno estatal de Karnataka para que dé prioridad a la educación de las niñas y proteja su derecho a llevar el hiyab en las instituciones educativas oficiales.

Derechos de los pueblos indígenas

69. Reformar la legislación existente para establecer la obligación de consultar a la comunidad adivasi a fin de obtener su consentimiento libre, previo e informado en todas las decisiones que la afecten, lo que incluye reformar la Ley sobre el Derecho a una Indemnización Justa y a la Transparencia en la Adquisición y Rehabilitación de Tierras y Reasentamiento.
70. Investigar y enjuiciar los abusos contra los derechos humanos sufridos por comunidades derivados de proyectos públicos y privados, y garantizar que todas las víctimas tienen acceso a recurso y reparación efectivos.
71. Exigir a las empresas mineras públicas y privadas que identifiquen, prevengan y mitiguen cualquier impacto negativo en los derechos humanos, lo que incluye llevar a cabo evaluaciones del impacto en los derechos humanos como parte de los procesos de diligencia debida.

Privación arbitraria de la nacionalidad

72. Restablecer la nacionalidad a las personas cuando se pueda demostrar que su privación constituyó una violación de derechos humanos.

ANNEX 1

KEY AMNESTY INTERNATIONAL DOCUMENTS FOR FURTHER REFERENCE

In October 2020, Amnesty International India was forced to halt its operations after the Government of India froze its bank accounts without notice. As a result, Amnesty International India's website that housed the organization's fact-finding reports, investigations, press releases, public statements and other relevant material on various human rights issues mentioned in this submission had to be pulled down due to lack of funds. For the purpose of this submission, Amnesty International is listing Amnesty International India's resources that are still available on the websites of other Amnesty International offices around the world.

"Justice under trial": A study of pre-trial detention in India, 12 July 2017, www.amnestyusa.org/reports/justice-under-trial-a-study-of-pre-trial-detention-in-india/

Amnesty International Report 2017/18: The state of the world's human rights, 22 February 2018, www.amnesty.org/en/documents/pol10/6700/2018/en

"Between Hate and Fear": Surviving Migration Detention in Assam, 23 November 2018, issuu.com/aiindia/docs/assam_digest/20

"Tyranny of a 'Lawless Law' India: Detention without charge or trial under the J&K Public Safety Act ", June 2019, kashmirscholars.files.wordpress.com/2019/06/amnesty-report-tyranny-of-a-lawless-law-2.pdf

"Designed to Exclude" - How India's courts are allowing Foreigners Tribunals to render people stateless in Assam, November 2019, www.amnesty.be/IMG/pdf/rapport_inde.pdf

India: "India: Citizenship Act protesters tortured in detention – new testimony", 16 January 2020, www.amnesty.org.uk/press-releases/india-citizenship-act-protesters-tortured-detention-new-testimony

India: "Women politicians face shocking scale of abuse on Twitter – new research" – 23 January 2020, www.amnesty.org.uk/press-releases/india-women-politicians-face-shocking-scale-abuse-twitter-new-research

India: "India's most vulnerable bear the brunt of COVID-19", 31 March 2020, www.amnesty.org.uk/indias-most-vulnerable-bare-brunt-covid-19

India: "Government in India must act as lives at risk in overcrowded detention centers in Assam" 7 April 2020, www.amnestyusa.org/press-releases/government-in-india-must-act-as-lives-at-risk-in-overcrowded-detention-centers-in-assam/

Amnesty International, Asia-Pacific: Human rights in Asia-Pacific – Review of 2019, 16 April 2020, pp 21-24, <https://www.amnesty.org/en/documents/asa01/1354/2020/en/>

India: "Amnesty International India halts its work on upholding human rights in India due to reprisal from Government of India", 29 September 2020, www.amnesty.org/en/latest/news/2020/09/amnesty-international-india-halts-its-work-on-upholding-human-rights-in-india-due-to-reprisal-from-government-of-india/

Amnesty International Report 2020/2021: The state of the world's human rights, 7 April 2021, Index: POL 10/3202, 2021, pp 182-186, www.amnesty.org/en/documents/pol10/3202/2021/en/

"Situation Update and Analysis" - Jammu & Kashmir after one year of abrogation of Article 370 and change of status of the region, 5 August 2020, www.amnesty.be/IMG/pdf/jammu_and_kashmir_after_one_year_of_abrogation_of_article_370.pdf

"Exposed, Silenced, Attacked": Failures to Protect Health and Essential Workers During the COVID-19 Pandemic, 13 July 2020, Index: POL 40/2572/2020, www.amnesty.org/en/documents/pol40/2572/2020/en/

India: “Hyderabad ‘on the brink of becoming a total surveillance city’”, 9 November 2021, www.amnesty.org/en/latest/news/2021/11/india-hyderabad-on-the-brink-of-becoming-a-total-surveillance-city/

India: “Six months since Delhi riots, Delhi Police continue to enjoy impunity despite evidence of human rights violations”, 28 August 2020, www.amnesty.org.uk/files/2020-08/Delhi%20Report%20Amnesty%20International%20India.pdf

Amnesty International Report 2021/2022: The state of the world's human rights, 29 March 2022, Index: POL 10/4870/2022, pp 190-193, <https://www.amnesty.org/en/documents/pol10/4870/2022/en/>

ANNEX 2

MATRIX OF RECOMMENDATIONS FROM THE PREVIOUS CYCLE, WITH COMMENTS ON PROGRESS

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|-----------|---|--|
| <i>Theme: A12 Acceptance of international norms</i> | | | |
| 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); Source of position: A/HRC/36/10/Add.1 | Supported | A12 Acceptance of international norms A22 Cooperation with treaty bodies D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| 161.5 Ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as previously recommended (Botswana); Source of position: A/HRC/36/10/Add.1 | Supported | A12 Acceptance of international norms D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|-----------|---|--|
| <p>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);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>A12 Acceptance of international norms</p> <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - general</p> | Not implemented |
| <p>161.7 Ratify, before the next universal periodic review cycle, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Czechia);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>A12 Acceptance of international norms</p> <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - general</p> | Not implemented |
| <p>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);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>A12 Acceptance of international norms</p> <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - general</p> | Not implemented |
| <p>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);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>A12 Acceptance of international norms</p> <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - general</p> | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|-----------|---|--|
| <p>161.16 Redouble its efforts to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Republic of Korea);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>A12 Acceptance of international norms</p> <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - general</p> | Not implemented |
| <p>161.17 Speed up the process for the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Israel);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>A12 Acceptance of international norms</p> <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - general</p> | Not implemented |
| <p>161.18 Advance towards the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Chile);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>A12 Acceptance of international norms</p> <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - general</p> | Not implemented |
| <p>161.19 Consider completing the process of ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Burkina Faso);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>A12 Acceptance of international norms</p> <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - general</p> | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|-----------|--|--|
| <p>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);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>A12 Acceptance of international norms</p> <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |
| <p>161.21 Intensify efforts to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>A12 Acceptance of international norms</p> <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |
| <p>161.22 Strengthen national efforts towards the ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Indonesia);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>A12 Acceptance of international norms</p> <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |
| <p>161.38 Ratify the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization (Slovenia);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>A12 Acceptance of international norms</p> <p>E32 Right to just and favourable conditions of work</p> <p>F33 Children: protection against exploitation</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>S08 SDG 8 - economic growth, employment, decent work</p> <p>Affected persons:</p> <p>- general</p> <p>- children</p> | Implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|-----------|---|--|
| 161.40 Consider acceding to the ILO Worst Forms of Child Labour Convention, 1999 (No. 182) (Uruguay); Source of position: A/HRC/36/10/Add.1 | Supported | A12 Acceptance of international norms E32 Right to just and favourable conditions of work F33 Children: protection against exploitation S17 SDG 17 - partnerships S08 SDG 8 - economic growth, employment, decent work Affected persons: - general - children | Implemented |
| 161.39 Consider ratifying the ILO Domestic Workers Convention, 2011 (No. 189) (Uruguay); Source of position: A/HRC/36/10/Add.1 | Supported | A12 Acceptance of international norms E32 Right to just and favourable conditions of work S16 SDG 16 - peace, justice and strong institutions S08 SDG 8 - economic growth, employment, decent work Affected persons: - general | Not implemented |
| 161.41 Ratify the international conventions to which it has committed itself (Madagascar); Source of position: A/HRC/36/10/Add.1 | Supported | A12 Acceptance of international norms S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| Theme: A21 National Mechanisms for Reporting and Follow-up (NMRF) | | | |
| 161.46 Put in place a specific mechanism for implementing previous accepted recommendations (Uganda); Source of position: A/HRC/36/10/Add.1 | Supported | A21 National Mechanisms for Reporting and Follow-up (NMRF) S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| Theme: A24 Cooperation with special procedures | | | |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|-----------|---|--|
| 161.45 Respond positively to visit requests by the special procedures of the Human Rights Council (Latvia); Source of position: A/HRC/36/10/Add.1 | Supported | A24 Cooperation with special procedures Affected persons: - general | Not implemented. It has received requests from 25 special procedures but has only hosted the Special Rapporteur on Environment since its last review. |
| Theme: A41 Constitutional and legislative framework | | | |
| 161.72 Ensure that laws are fully and consistently enforced to provide adequate protections for members of religious minorities, scheduled castes, tribes and other vulnerable populations (United States of America); Source of position: A/HRC/36/10/Add.1 | Supported | A41 Constitutional and legislative framework B52 Impunity S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups | Not implemented |
| Theme: A46 National Plans of Action on Human Rights (or specific areas) | | | |
| 161.62 Adopt a national plan on human rights (Kenya); Source of position: A/HRC/36/10/Add.1 | Supported | A46 National Plans of Action on Human Rights (or specific areas) S16 SDG 16 - peace, justice and strong institutions S10 SDG 10 - inequality B31 Equality & non-discrimination Affected persons: - general | Not implemented |
| Theme: A51 Human rights education - general | | | |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|-----------|---|--|
| <p>161.63 Expand the scope of the Right of Children to Free and Compulsory Education Act and promote human rights education in the school curriculum (Slovakia);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>A51 Human rights education - general</p> <p>E51 Right to education - General</p> <p>A41 Constitutional and legislative framework</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>S04 SDG 4 - education</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - children | <p>Not implemented</p> |
| Theme: A53 Professional training in human rights | | | |
| <p>161.66 In the spirit of its Constitution, which guarantees equal rights to all minorities, further invest in dedicated human rights training of police officials to register and investigate cases of discrimination and violence and to hold them accountable when they fail to do so (Finland);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>A53 Professional training in human rights</p> <p>B52 Impunity</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>S04 SDG 4 - education</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - law enforcement / police officials | <p>Not implemented</p> |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|-----------|--|--|
| <p>161.68 Strengthen capacity-building with regard to human rights for civil servants involved in the protection of women and girl and boy victims of violence and sexual abuse (Mexico);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>A53 Professional training in human rights</p> <p>F13 Violence against women</p> <p>F12 Discrimination against women</p> <p>F31 Children: definition; general principles; protection</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>S04 SDG 4 - education</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - women - children - girls - public officials | <p>Not implemented</p> |
| Theme: B31 Equality & non-discrimination | | | |
| <p>161.75 Adopt laws and implement policies to suppress all forms of de facto discrimination against any person or group (Guatemala);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>B31 Equality & non-discrimination</p> <p>A41 Constitutional and legislative framework</p> <p>S10 SDG 10 - inequality</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general | <p>Not implemented</p> |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|-----------|--|--|
| <p>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);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>B31 Equality & non-discrimination</p> <p>A46 National Plans of Action on Human Rights (or specific areas)</p> <p>S10 SDG 10 - inequality</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - children - minorities/ racial, ethnic, linguistic, religious or descent-based groups - persons with disabilities | Not implemented |
| <p>161.81 Continue the fight against discrimination, exclusion, dehumanization, stigmatization and violence suffered by scheduled castes (Peru);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>B31 Equality & non-discrimination</p> <p>B52 Impunity</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - minorities/ racial, ethnic, linguistic, religious or descent-based groups - vulnerable persons/groups | Not implemented |
| <p>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);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>B31 Equality & non-discrimination</p> <p>B52 Impunity</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - minorities/ racial, ethnic, linguistic, religious or descent-based groups - vulnerable persons/groups | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|-----------|--|--|
| <p>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);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>B31 Equality & non-discrimination</p> <p>B52 Impunity</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>S10 SDG 10 - inequality</p> <p>A53 Professional training in human rights</p> <p>A41 Constitutional and legislative framework</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - minorities/ racial, ethnic, linguistic, religious or descent-based groups - vulnerable persons/groups | Not implemented |
| <p>161.70 Strengthen the national framework to reduce all kinds of discrimination (Iraq);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>B31 Equality & non-discrimination</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general | Not implemented |
| <p>161.61 Continues its endeavours in promoting and protecting the human rights of all its citizens in an inclusive manner (Nepal);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>B31 Equality & non-discrimination</p> <p>S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general | Not implemented |
| Theme: B52 Impunity | | | |
| <p>161.99 Prevent and pursue through the appropriate judicial means all violent acts against religious and tribal minorities, Dalits and lower castes (Holy See);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>B52 Impunity</p> <p>A41 Constitutional and legislative framework</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups - vulnerable persons/groups | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|-----------|--|--|
| 161.100 Strengthen efforts for the prevention of cases of intercommunal violence (Russian Federation); Source of position: A/HRC/36/10/Add.1 | Supported | B52 Impunity B31 Equality & non-discrimination S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups | Not implemented |
| 161.80 Adopt measures to effectively protect transgender persons, including the implementation of the Transgender Persons (Protection of Rights) Bill (Israel); Source of position: A/HRC/36/10/Add.1 | Supported | B52 Impunity S16 SDG 16 - peace, justice and strong institutions Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI) | Not implemented |
| Theme: B6 Business & Human Rights | | | |
| 161.90 Establish and implement regulations to ensure that the business sector complies with international and national human rights, labour, environment and other standards (Uganda); Source of position: A/HRC/36/10/Add.1 | Supported | B6 Business & Human Rights S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| Theme: D25 Prohibition of torture and cruel, inhuman or degrading treatment | | | |
| 161.95 Take appropriate measures to avoid the excessive use of force by security officers (Greece); Source of position: A/HRC/36/10/Add.1 | Supported | D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - law enforcement / police officials | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|-----------|--|--|
| 161.96 Deepen the respect about principles of proportionality and necessity for armed forces and police (Peru); Source of position: A/HRC/36/10/Add.1 | Supported | D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - law enforcement / police officials - military staff | Not implemented |
| Theme: D26 Conditions of detention | | | |
| 161.116 Improve prison conditions in order to ensure the rights and dignity of all those deprived of their liberty (Zambia); Source of position: A/HRC/36/10/Add.1 | Supported | D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty | Not implemented |
| Theme: D27 Prohibition of slavery, trafficking | | | |
| 161.125 Continue improving the national legislative framework on the rehabilitation of victims of trafficking (Ukraine); Source of position: A/HRC/36/10/Add.1 | Supported | D27 Prohibition of slavery, trafficking A41 Constitutional and legislative framework B53 Support to victims and witnesses S05 SDG 5 - gender equality and women's empowerment S08 SDG 8 - economic growth, employment, decent work S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|-----------|---|--|
| <p>161.117 Continue with relevant consultations and adopt a law on combating trafficking in persons (Belarus);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>D27 Prohibition of slavery, trafficking</p> <p>A41 Constitutional and legislative framework</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S08 SDG 8 - economic growth, employment, decent work</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |
| <p>161.118 Continue the consultation process with all concerned parties to elaborate a new draft of the law against trafficking in persons (Cuba);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>D27 Prohibition of slavery, trafficking</p> <p>A41 Constitutional and legislative framework</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S08 SDG 8 - economic growth, employment, decent work</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |
| <p>161.119 Continue and redouble its efforts to combat trafficking in persons and modern slavery, including through better law enforcement to end impunity for human traffickers and through initiatives aimed at destigmatizing and rehabilitating victims of trafficking (Liechtenstein);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>D27 Prohibition of slavery, trafficking</p> <p>A41 Constitutional and legislative framework</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S08 SDG 8 - economic growth, employment, decent work</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>B53 Support to victims and witnesses</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |
| Theme: D29 Domestic violence | | | |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|-----------|--|--|
| 161.211 Ensure effective implementation of the law on the protection of women against domestic violence (Gabon); Source of position: A/HRC/36/10/Add.1 | Supported | D29 Domestic violence A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment Affected persons: - women | Not implemented |
| 161.210 Strengthen the protection of women's rights in accordance with the Protection of Women from Domestic Violence Act and other relevant laws (Republic of Korea); Source of position: A/HRC/36/10/Add.1 | Supported | D29 Domestic violence F12 Discrimination against women F11 Advancement of women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women | Not implemented |
| 161.207 Punish domestic violence, as well as promote awareness-raising campaigns on gender violence, including "honour" crimes (Spain); Source of position: A/HRC/36/10/Add.1 | Supported | D29 Domestic violence F13 Violence against women S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women | Not implemented |
| 161.208 Reinforce the legal framework for the prevention of violence against women, including running a national awareness campaign and ensuring comprehensive investigation and prosecution in cases of domestic violence (Italy); Source of position: A/HRC/36/10/Add.1 | Supported | D29 Domestic violence F13 Violence against women S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women | Not implemented |
| Theme: D42 Freedom of thought, conscience and religion | | | |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|-----------|--|--|
| 161.144 Continue its efforts to protect religious freedom and the rights of minority groups based on its Constitution and other relevant laws (Republic of Korea); Source of position: A/HRC/36/10/Add.1 | Supported | D42 Freedom of thought, conscience and religion A41 Constitutional and legislative framework G1 Members of minorities S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| 161.132 Continue to develop laws and make efforts to ensure freedom of religion and belief (Lebanon); Source of position: A/HRC/36/10/Add.1 | Supported | D42 Freedom of thought, conscience and religion A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| Theme: D51 Administration of justice & fair trial | | | |
| 161.88 Continue facilitating equal access to justice for all and provide legal aid, in particular to vulnerable groups, minority groups and marginalized people (Angola); Source of position: A/HRC/36/10/Add.1 | Supported | D51 Administration of justice & fair trial B51 Right to an effective remedy G1 Members of minorities S16 SDG 16 - peace, justice and strong institutions S10 SDG 10 - inequality Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups - vulnerable persons/groups | Not implemented |
| 161.149 Allocate appropriate resources to reducing backlog and delays in the administration of cases in courts (Ethiopia); Source of position: A/HRC/36/10/Add.1 | Supported | D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors | Not implemented |
| Theme: D6 Rights related to name, identity, nationality | | | |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|-----------|--|--|
| <p>161.150 Promote and facilitate universal access to birth registration, especially for people living in extreme poverty, belonging to religious minorities or living in remote areas of the country, through the implementation of mobile units and carrying out awareness-raising campaigns (Mexico);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>D6 Rights related to name, identity, nationality</p> <p>A54 Awareness raising and dissemination</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>S01 SDG 1 - poverty</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - minorities/ racial, ethnic, linguistic, religious or descent-based groups - persons living in poverty - persons living in rural areas | <p>Not implemented</p> |
| Theme: E1 Economic, social & cultural rights - general measures of implementation | | | |
| <p>161.160 Continue efforts and measures aimed at enhancing social security and labour policies, and expand the development model in rural areas (Egypt);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>E1 Economic, social & cultural rights - general measures of implementation</p> <p>E24 Right to social security</p> <p>E31 Right to work</p> <p>B41 Right to development</p> <p>S01 SDG 1 - poverty</p> <p>S08 SDG 8 - economic growth, employment, decent work</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - persons living in rural areas | <p>Not implemented</p> |
| Theme: E21 Right to an adequate standard of living - general | | | |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|-----------|--|--|
| <p>161.168 Continue its fight against poverty, lack of adequate food, safe water and sanitation, while paying special attention to the need to introduce a child rights-based approach in all policies (Bulgaria);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>E21 Right to an adequate standard of living - general</p> <p>E22 Right to food</p> <p>E26 Human Rights & drinking water and sanitation</p> <p>S01 SDG 1 - poverty</p> <p>S02 SDG 2 - hunger and food security</p> <p>S06 SDG 6 - water and sanitation</p> <p>E25 Human rights & poverty</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - children - persons living in poverty | Not implemented |
| <p>161.154 Continue its programmes for the promotion of socioeconomic development, with a particular focus on the country's rights-based approach to food security targeting the most vulnerable groups (Sri Lanka);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>E21 Right to an adequate standard of living - general</p> <p>E22 Right to food</p> <p>S01 SDG 1 - poverty</p> <p>S02 SDG 2 - hunger and food security</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - vulnerable persons/groups | Not implemented |
| Theme: E23 Right to adequate housing | | | |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|-----------|--|--|
| <p>161.155 Implement a human rights-based, holistic approach to ensure access to adequate housing as well as to adequate water and sanitation, including for marginalized groups, Dalits, scheduled castes, the homeless, the landless, scheduled tribes, religious and ethnic minorities, persons with disabilities and women (Germany);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>E23 Right to adequate housing</p> <p>E26 Human Rights & drinking water and sanitation</p> <p>G1 Members of minorities</p> <p>S01 SDG 1 - poverty</p> <p>S06 SDG 6 - water and sanitation</p> <p>S10 SDG 10 - inequality</p> <p>B31 Equality & non-discrimination</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - minorities/ racial, ethnic, linguistic, religious or descent-based groups - persons with disabilities - vulnerable persons/groups - persons living in poverty - persons living in rural areas - children in street situations | Not implemented |
| Theme: E24 Right to social security | | | |
| <p>161.158 Ensure the systematic functioning of all mechanisms for the delivery of financial and other forms of assistance to those in need which have been established within the framework of the National Social Assistance Programme (Russian Federation);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>E24 Right to social security</p> <p>E21 Right to an adequate standard of living - general</p> <p>A44 Structure of the national human rights machinery</p> <p>S01 SDG 1 - poverty</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - persons living in poverty | Not implemented |
| <p>161.172 Implement further actions in promoting social and work security, as well as efforts to spread the country's growth model in rural areas (Uzbekistan);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>E24 Right to social security</p> <p>E31 Right to work</p> <p>E25 Human rights & poverty</p> <p>S01 SDG 1 - poverty</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - persons living in rural areas | Not implemented |
| Theme: E25 Human rights & poverty | | | |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|-----------|---|--|
| Theme: E26 Human Rights & drinking water and sanitation | | | |
| 161.170 Continue to increase access to safe and sustainable drinking water in rural areas and to improve sanitation coverage, especially for women and girls (Singapore); Source of position: A/HRC/36/10/Add.1 | Supported | E26 Human Rights & drinking water and sanitation F1 Women S01 SDG 1 - poverty S05 SDG 5 - gender equality and women's empowerment Affected persons: - general - women | Not implemented |
| Theme: E32 Right to just and favourable conditions of work | | | |
| 161.174 Accelerate the process of consolidating existing labour laws to, inter alia, promote the right to equal opportunities for work and at work, as well as to achieve occupational safety (Zimbabwe); Source of position: A/HRC/36/10/Add.1 | Supported | E32 Right to just and favourable conditions of work E31 Right to work S08 SDG 8 - economic growth, employment, decent work Affected persons: - general | Not implemented |
| Theme: E41 Right to health - General | | | |
| 161.175 Increase public spending on the health sector in accordance with the 2017 National Health Policy and take further steps to strengthen health facilities (Kazakhstan); Source of position: A/HRC/36/10/Add.1 | Supported | E41 Right to health - General A63 Budget and resources (for human rights implementation) S03 SDG 3 - health Affected persons: - general | Not implemented |
| Theme: F11 Advancement of women | | | |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|-----------|--|--|
| <p>161.194 Continue its efforts to ensure women's equal participation in the workforce and generate employment opportunities for women in rural areas (State of Palestine);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>F11 Advancement of women</p> <p>E31 Right to work</p> <p>B31 Equality & non-discrimination</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S10 SDG 10 - inequality</p> <p>S08 SDG 8 - economic growth, employment, decent work</p> <p>Affected persons:</p> <p>- women</p> | Not implemented |
| <p>161.205 Continue strengthening institutions to eliminate discrimination and violence against women, in particular sexual violence, and adopt specific measures to achieve gender equality in the labour market (Chile);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>F11 Advancement of women</p> <p>E31 Right to work</p> <p>F12 Discrimination against women</p> <p>F13 Violence against women</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S08 SDG 8 - economic growth, employment, decent work</p> <p>Affected persons:</p> <p>- women</p> | Not implemented |
| <p>161.190 Strengthen the integration of the gender perspective in the formulation and implementation of policies (Colombia);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>F11 Advancement of women</p> <p>F12 Discrimination against women</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S10 SDG 10 - inequality</p> <p>B31 Equality & non-discrimination</p> <p>Affected persons:</p> <p>- women</p> | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|-----------|---|--|
| 161.193 Redouble efforts on ensuring gender equality and take measures to prevent gender discrimination (Timor-Leste); Source of position: A/HRC/36/10/Add.1 | Supported | F11 Advancement of women F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality B31 Equality & non-discrimination Affected persons: - women | Not implemented |
| 161.204 Continue its efforts to promote the empowerment of women and to combat violence against women, in line with the recommendations of the Verma Committee (Brazil); Source of position: A/HRC/36/10/Add.1 | Supported | F11 Advancement of women F13 Violence against women S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women | Not implemented |
| 161.222 Strengthen the adoption of socioeconomic programmes which promote the empowerment of women and their participation in public and political life (Angola); Source of position: A/HRC/36/10/Add.1 | Supported | F11 Advancement of women F14 Participation of women in political and public life B31 Equality & non-discrimination S10 SDG 10 - inequality S05 SDG 5 - gender equality and women's empowerment Affected persons: - women | Not implemented |
| Theme: F12 Discrimination against women | | | |
| 161.215 Enhance activities aimed at eliminating discrimination against women, which particularly affects women from lower castes (Kyrgyzstan); Source of position: A/HRC/36/10/Add.1 | Supported | F12 Discrimination against women B31 Equality & non-discrimination S10 SDG 10 - inequality S05 SDG 5 - gender equality and women's empowerment Affected persons: - women - vulnerable persons/groups | Not implemented |
| Theme: F13 Violence against women | | | |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|-----------|---|--|
| <p>161.199 Combat violence against women through effective legislation and law enforcement measures (China);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>F13 Violence against women</p> <p>A41 Constitutional and legislative framework</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- women</p> | Not implemented |
| <p>161.59 Consider introducing laws to specifically prevent and prosecute "honour" killings and prosecute those that order or sanction violence against women (Namibia);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>F13 Violence against women</p> <p>A41 Constitutional and legislative framework</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>B52 Impunity</p> <p>Affected persons:</p> <p>- women</p> | Not implemented |
| <p>161.213 Redouble its efforts to enforce its legal provisions prohibiting harmful and discriminatory practices that violate the rights of women and girls (Liechtenstein);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>F13 Violence against women</p> <p>B52 Impunity</p> <p>A41 Constitutional and legislative framework</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- women</p> <p>- girls</p> | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|-----------|---|--|
| <p>161.200 Take more effective measures to protect and promote the rights of women and girls, as they continue to be subjected to widespread violence, discrimination and exploitation (Japan);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>F13 Violence against women</p> <p>B53 Support to victims and witnesses</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - children - girls | Not implemented |
| <p>161.201 Take additional serious measures to eliminate violence against women and children, including sexual violence (Kyrgyzstan);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>F13 Violence against women</p> <p>B53 Support to victims and witnesses</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - children - girls | Not implemented |
| <p>161.202 Continue and strengthen measures to prevent and repress offences and violence against women and girls, including through early childhood education, awareness-raising and enhancing effective mechanisms of reparation (Viet Nam);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>F13 Violence against women</p> <p>B53 Support to victims and witnesses</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>A54 Awareness raising and dissemination</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - girls | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|-----------|---|--|
| <p>161.197 Improve the enforcement of the legal provisions prohibiting harmful and discriminatory practices against women and girls, in particular child marriages, dowry-related murders and honour killings, and ensure that all women, without discrimination, have access to public services (Czechia);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>F13 Violence against women</p> <p>B53 Support to victims and witnesses</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons:</p> <p>- women</p> | Not implemented |
| Theme: F31 Children: definition; general principles; protection | | | |
| <p>161.216 Implement the Protection of Children from Sexual Offences Act to increase the protection of children from sexual abuse (Kenya);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>F31 Children: definition; general principles; protection</p> <p>A41 Constitutional and legislative framework</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- children</p> | Not implemented |
| <p>61.234 Introduce comprehensive and continuous public education, awareness-raising and social mobilization programmes on the harmful effects of corporal punishment (Liechtenstein);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Supported | <p>F31 Children: definition; general principles; protection</p> <p>F32 Children: family environment and alternative care</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>A54 Awareness raising and dissemination</p> <p>Affected persons:</p> <p>- general</p> <p>- children</p> | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|-----------|--|--|
| 161.232 Develop specific guidelines for protection and support for victims of child sexual abuse and their families undergoing trial (Slovakia); Source of position: A/HRC/36/10/Add.1 | Supported | F31 Children: definition; general principles; protection F33 Children: protection against exploitation D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions B53 Support to victims and witnesses Affected persons: - children | Not implemented |
| 161.231 Continue strengthening institutions to protect children and adolescent girls and boys, with a view to eradicating child labour, sexual exploitation and the practice of child marriage (Chile); Source of position: A/HRC/36/10/Add.1 | Supported | F31 Children: definition; general principles; protection F33 Children: protection against exploitation S16 SDG 16 - peace, justice and strong institutions S05 SDG 5 - gender equality and women's empowerment Affected persons: - children | Not implemented |
| 161.218 Step up its efforts to eradicate child marriage and so-called "honour crimes" (Israel); Source of position: A/HRC/36/10/Add.1 | Supported | F31 Children: definition; general principles; protection S16 SDG 16 - peace, justice and strong institutions S05 SDG 5 - gender equality and women's empowerment Affected persons: - children | Not implemented |
| Theme: F34 Children: Juvenile justice | | | |
| 161.238 Take all appropriate measures in the implementation of the 2015 Juvenile Justice Act to give children aged 18 years and below an opportunity for rehabilitation (Botswana); Source of position: A/HRC/36/10/Add.1 | Supported | F34 Children: Juvenile justice D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - children | Not implemented |
| Theme: A12 Acceptance of international norms | | | |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|----------|--|--|
| <p>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);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A12 Acceptance of international norms</p> <p>A24 Cooperation with special procedures</p> <p>A41 Constitutional and legislative framework</p> <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - general</p> | Not implemented |
| <p>161.35 Accede to and fully align its national legislation with the Rome Statute of the International Criminal Court (Latvia);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A12 Acceptance of international norms</p> <p>A41 Constitutional and legislative framework</p> <p>B11 International humanitarian law</p> <p>B52 Impunity</p> <p>D51 Administration of justice & fair trial</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - general</p> | Not implemented |
| <p>161.48 Accede to and adapt its national legislation to the Rome Statute, including incorporation of dispositions to swiftly and fully cooperate with the International Criminal Court (Guatemala);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A12 Acceptance of international norms</p> <p>A41 Constitutional and legislative framework</p> <p>B11 International humanitarian law</p> <p>B52 Impunity</p> <p>D51 Administration of justice & fair trial</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - general</p> | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|----------|---|--|
| <p>161.34 Ratify the Rome Statute of the International Criminal Court (Estonia);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A12 Acceptance of international norms</p> <p>B11 International humanitarian law</p> <p>B52 Impunity</p> <p>D51 Administration of justice & fair trial</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |
| <p>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);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A12 Acceptance of international norms</p> <p>D1 Civil & political rights - general measures of implementation</p> <p>D23 Death penalty</p> <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>E32 Right to just and favourable conditions of work</p> <p>F12 Discrimination against women</p> <p>F33 Children: protection against exploitation</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |
| <p>161.1 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Estonia);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A12 Acceptance of international norms</p> <p>D1 Civil & political rights - general measures of implementation</p> <p>D23 Death penalty</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|----------|--|--|
| <p>161.112 Establish a formal moratorium on the death penalty, with a view to ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Australia);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A12 Acceptance of international norms</p> <p>D1 Civil & political rights - general measures of implementation</p> <p>D23 Death penalty</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general | Not implemented |
| <p>161.3 Ratify the Optional Protocols to the International Covenant on Civil and Political Rights, to the Convention on the Elimination of All Forms of Discrimination against Women and to the Convention on the Rights of Persons with Disabilities (Guatemala);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A12 Acceptance of international norms</p> <p>D1 Civil & political rights - general measures of implementation</p> <p>F12 Discrimination against women</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - women | Not implemented |
| <p>161.2 Consider adhering to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and abolish the death penalty (Portugal);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A12 Acceptance of international norms</p> <p>D23 Death penalty</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general | Not implemented |
| <p>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);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A12 Acceptance of international norms</p> <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>D32 Enforced disappearances</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|----------|--|--|
| <p>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);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A12 Acceptance of international norms</p> <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>D32 Enforced disappearances</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |
| <p>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);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A12 Acceptance of international norms</p> <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>D32 Enforced disappearances</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |
| <p>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);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A12 Acceptance of international norms</p> <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>E1 Economic, social & cultural rights - general measures of implementation</p> <p>F12 Discrimination against women</p> <p>F31 Children: definition; general principles; protection</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|----------|---|--|
| <p>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);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A12 Acceptance of international norms</p> <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>G4 Migrants</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |
| <p>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);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A12 Acceptance of international norms</p> <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |
| <p>161.30 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Greece) (Ukraine);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A12 Acceptance of international norms</p> <p>D32 Enforced disappearances</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |
| <p>161.31 Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Burkina Faso);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A12 Acceptance of international norms</p> <p>D32 Enforced disappearances</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|----------|---|--|
| <p>161.32 Accede to and implement the 1954 Convention relating to the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness, the 1951 Convention relating to the Status of Refugees and article 7 of the Convention on the Rights of the Child to end statelessness and guarantee nationality for affected children (Kenya);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A12 Acceptance of international norms</p> <p>D6 Rights related to name, identity, nationality</p> <p>F31 Children: definition; general principles; protection</p> <p>G4 Migrants</p> <p>G5 Refugees & asylum seekers</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |
| <p>161.33 Accede to and fully implement the 1954 Convention relating to the Status of Stateless Persons, the 1961 Convention on the Reduction of Statelessness and the 1951 Convention relating to the Status of Refugees (Slovakia);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A12 Acceptance of international norms</p> <p>D6 Rights related to name, identity, nationality</p> <p>G4 Migrants</p> <p>G5 Refugees & asylum seekers</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |
| <p>161.27 Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Uruguay);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A12 Acceptance of international norms</p> <p>G4 Migrants</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |
| <p>161.42 Ratify other human rights conventions to which India is not yet a State party (Philippines);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A12 Acceptance of international norms</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|----------|--|--|
| 161.43 Ratify the international human rights instruments to which India is not a State party yet (Côte d'Ivoire); Source of position: A/HRC/36/10/Add.1 | Noted | A12 Acceptance of international norms S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| Theme: A13 Reservations | | | |
| 161.4 Consider withdrawing the remaining declarations and reservations to the Convention on the Elimination of All Forms of Discrimination against Women (Rwanda); Source of position: A/HRC/36/10/Add.1 | Noted | A13 Reservations F12 Discrimination against women S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - women | Not implemented |
| Theme: A28 Cooperation with other international mechanisms and institutions | | | |
| 161.250 Provide unhindered access to the United Nations and other international organizations, and accede to the call of the High Commissioner for Human Rights to allow an OHCHR fact-finding mission to "Indian-Occupied Kashmir" to investigate and report on the human rights situation there (Pakistan). Source of position: A/HRC/36/10/Add.1 | Noted | A28 Cooperation with other international mechanisms and institutions S17 SDG 17 - partnerships Affected persons: - general | Not implemented |
| Theme: A41 Constitutional and legislative framework | | | |
| 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); Source of position: A/HRC/36/10/Add.1 | Noted | A41 Constitutional and legislative framework D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|----------|--|--|
| <p>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);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A41 Constitutional and legislative framework</p> <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |
| <p>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);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A41 Constitutional and legislative framework</p> <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |
| <p>161.79 Repeal section 377 of the Indian Penal Code, which criminalizes same-sex conduct between consenting adults, and enact legislation consistent with the Supreme Court's recognition of the rights of transgender persons (Canada);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A41 Constitutional and legislative framework</p> <p>D51 Administration of justice & fair trial</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p> | Implemented |
| <p>161.76 Repeal section 377 of the Indian Penal Code and ensure that consensual same-sex relations are not criminalized (Iceland);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>A41 Constitutional and legislative framework</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</p> | Implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|----------|---|--|
| 161.77 Take steps to end the criminalization of same-sex relations (Israel); Source of position: A/HRC/36/10/Add.1 | Noted | A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI) | Implemented |
| 161.78 Amend or revoke section 377 to decriminalize same-sex relations (Norway); Source of position: A/HRC/36/10/Add.1 | Noted | A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - lesbian, gay, bisexual, transgender and intersex persons (LGBTI) | Implemented |
| Theme: A46 National Plans of Action on Human Rights (or specific areas) | | | |
| 161.84 Establish a national action plan for combating hate crimes, racism and negative stereotypes against people of African descent inside its territory, including appropriate programmes of public awareness that will address the problem of racism and Afro-phobia, in full consultation with those particularly affected (Haiti); Source of position: A/HRC/36/10/Add.1 | Noted | A46 National Plans of Action on Human Rights (or specific areas) B32 Racial discrimination S10 SDG 10 - inequality Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups | Not implemented |
| Theme: B21 Right to self-determination | | | |
| 161.247 Immediately stop its atrocities and violations of human rights against the Kashmiri people, and allow them to exercise their right to self-determination through a free and fair plebiscite in accordance with the United Nations Security Council resolution (Pakistan); Source of position: A/HRC/36/10/Add.1 | Noted | B21 Right to self-determination S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|----------|--|--|
| Theme: B31 Equality & non-discrimination | | | |
| <p>161.71 Intensify 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 (Ireland);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>B31 Equality & non-discrimination</p> <p>A54 Awareness raising and dissemination</p> <p>S10 SDG 10 - inequality</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>B52 Impunity</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - girls - minorities/ racial, ethnic, linguistic, religious or descent-based groups - lesbian, gay, bisexual, transgender and intersex persons (LGBTI) | Not implemented |
| <p>161.101 Step up its efforts against caste-based violence, discrimination and prejudice, including by eradicating all forms of caste-based discrimination in the educational system (Czechia);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>B31 Equality & non-discrimination</p> <p>S04 SDG 4 - education</p> <p>S10 SDG 10 - inequality</p> <p>E51 Right to education - General</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups - vulnerable persons/groups | Not implemented |
| Theme: B52 Impunity | | | |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|----------|---|--|
| 161.97 Revise the Armed Forces (Special Powers) Act to bring it into compliance with the obligations under the International Covenant on Civil and Political Rights, with a view to fighting impunity (Switzerland); Source of position: A/HRC/36/10/Add.1 | Noted | B52 Impunity A41 Constitutional and legislative framework D1 Civil & political rights - general measures of implementation S16 SDG 16 - peace, justice and strong institutions Affected persons: - military staff | Not implemented |
| 161.248 Repeal the Armed Forces (Special Powers) Act and the Public Safety Act and take credible actions to end the prevailing culture of impunity in "Indian-Occupied Kashmir" (Pakistan); Source of position: A/HRC/36/10/Add.1 | Noted | B52 Impunity A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| 161.146 Take the necessary steps to ensure that all operations of intelligence agencies are monitored by an independent oversight mechanism (Liechtenstein); Source of position: A/HRC/36/10/Add.1 | Noted | B52 Impunity A42 Institutions & policies - General S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| 161.49 Bring into law the Prevention of Communal and Targeted Violence bill (2013) (United Kingdom of Great Britain and Northern Ireland); Source of position: A/HRC/36/10/Add.1 | Noted | B52 Impunity S16 SDG 16 - peace, justice and strong institutions A41 Constitutional and legislative framework Affected persons: - general | Not implemented |
| Theme: D23 Death penalty | | | |
| 161.104 Abolish the death penalty (Mozambique); Source of position: A/HRC/36/10/Add.1 | Noted | D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|----------|---|--|
| 161.105 Consider the abolition of the death penalty (Greece); Source of position: A/HRC/36/10/Add.1 | Noted | D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| 161.106 Consider imposing a moratorium on the application of the death penalty with a view to abolishing it (Namibia); Source of position: A/HRC/36/10/Add.1 | Noted | D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| 161.107 Consider imposing a de facto moratorium on the use of the death penalty with a view to its total abolition (Rwanda); Source of position: A/HRC/36/10/Add.1 | Noted | D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| 161.108 Establish a moratorium on executions as a first step towards the abolition of the death penalty (Belgium); Source of position: A/HRC/36/10/Add.1 | Noted | D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| 161.109 Introduce an official moratorium on the death penalty (Lithuania); Source of position: A/HRC/36/10/Add.1 | Noted | D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| 161.110 Establish a de jure moratorium on capital executions and commute the existing death sentences with a view to fully abolishing the death penalty (Italy); Source of position: A/HRC/36/10/Add.1 | Noted | D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| 161.111 Consider establishing a moratorium on the death penalty with a view to its abolishment (Spain); Source of position: A/HRC/36/10/Add.1 | Noted | D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|----------|---|--|
| 161.113 Consider the establishment of a moratorium on executions during the process of consideration by the Government of the recommendations of the Law Commission of India on the issue of the abolition of the death penalty (Montenegro); Source of position: A/HRC/36/10/Add.1 | Noted | D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| 161.114 Consider establishing a moratorium on the death penalty (Timor-Leste); Source of position: A/HRC/36/10/Add.1 | Noted | D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| 161.115 Introduce a moratorium on executions with a view to abolishing the death penalty (France); Source of position: A/HRC/36/10/Add.1 | Noted | D23 Death penalty S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| Theme: D25 Prohibition of torture and cruel, inhuman or degrading treatment | | | |
| 161.74 Enact the Prevention of Torture Bill (South Africa); Source of position: A/HRC/36/10/Add.1 | Noted | D25 Prohibition of torture and cruel, inhuman or degrading treatment A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| 161.98 Review the Code of Criminal Procedure as regards the use of force by law enforcement officials, in particular section 46 (Sierra Leone); Source of position: A/HRC/36/10/Add.1 | Noted | D25 Prohibition of torture and cruel, inhuman or degrading treatment A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - law enforcement / police officials | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|----------|---|--|
| <p>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);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>D25 Prohibition of torture and cruel, inhuman or degrading treatment</p> <p>B51 Right to an effective remedy</p> <p>B52 Impunity</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |
| Theme: D29 Domestic violence | | | |
| <p>161.209 Adopt a comprehensive law to combat all forms of violence against women, including domestic violence and marital rape (Honduras);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>D29 Domestic violence</p> <p>F13 Violence against women</p> <p>A41 Constitutional and legislative framework</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- women</p> | Not implemented |
| Theme: D42 Freedom of thought, conscience and religion | | | |
| <p>161.126 Strengthen efforts to guarantee freedom of religion and belief, especially by retracting so-called anti-conversion laws (Holy See);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>D42 Freedom of thought, conscience and religion</p> <p>A41 Constitutional and legislative framework</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|----------|---|--|
| <p>161.127 Take all necessary measures to protect the rights of persons belonging to religious minorities, and repeal laws which restrict religious conversion (Netherlands);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>D42 Freedom of thought, conscience and religion</p> <p>A41 Constitutional and legislative framework</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - minorities/ racial, ethnic, linguistic, religious or descent-based groups | Not implemented |
| <p>161.129 Repeal the requisite legislation to stop violence and discrimination against religious minorities (Kenya);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>D42 Freedom of thought, conscience and religion</p> <p>A41 Constitutional and legislative framework</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - minorities/ racial, ethnic, linguistic, religious or descent-based groups | Not implemented |
| <p>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);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>D42 Freedom of thought, conscience and religion</p> <p>B32 Racial discrimination</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - minorities/ racial, ethnic, linguistic, religious or descent-based groups | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|----------|---|--|
| <p>161.128 Abolish anti-conversion laws and grant access to justice to victims of religious violence and discrimination (Italy);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>D42 Freedom of thought, conscience and religion</p> <p>B51 Right to an effective remedy</p> <p>A41 Constitutional and legislative framework</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>B53 Support to victims and witnesses</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general | Not implemented |
| <p>161.73 Take effective measures to combat rising instances of religious intolerance, violence and discrimination (Kazakhstan);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>D42 Freedom of thought, conscience and religion</p> <p>B52 Impunity</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups | Not implemented |
| <p>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);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>D42 Freedom of thought, conscience and religion</p> <p>D43 Freedom of opinion and expression</p> <p>G1 Members of minorities</p> <p>A41 Constitutional and legislative framework</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups | Not implemented |
| Theme: D43 Freedom of opinion and expression | | | |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|----------|--|--|
| 161.141 Carry out independent investigations in all cases of attacks against journalists (Lithuania); Source of position: A/HRC/36/10/Add.1 | Noted | D43 Freedom of opinion and expression B52 Impunity S16 SDG 16 - peace, justice and strong institutions Affected persons: - media | Not implemented |
| 161.131 Ensure that any measure limiting freedom of expression, assembly and association on the Internet is based on clearly defined criteria in accordance with international law including international human rights law (Sweden); Source of position: A/HRC/36/10/Add.1 | Noted | D43 Freedom of opinion and expression D44 Right to peaceful assembly D45 Freedom of association S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - media | Not implemented |
| 161.143 Guarantee freedom of expression, association and peaceful assembly for all individuals and promote meaningful dialogue that embraces and allows freely organized advocacy of diverging views by civil society (Canada); Source of position: A/HRC/36/10/Add.1 | Noted | D43 Freedom of opinion and expression D44 Right to peaceful assembly D45 Freedom of association S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| 161.142 Put an end to all curbs on freedom of expression and association (Pakistan); Source of position: A/HRC/36/10/Add.1 | Noted | D43 Freedom of opinion and expression D45 Freedom of association S16 SDG 16 - peace, justice and strong institutions B52 Impunity Affected persons: - general | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|----------|--|--|
| <p>161.145 Bring all legislation concerning communication surveillance in line with international human rights standards and especially recommend that all communication surveillance requires a test of necessity and proportionality (Liechtenstein);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>D43 Freedom of opinion and expression</p> <p>D46 Right to private life, privacy</p> <p>A41 Constitutional and legislative framework</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |
| Theme: D45 Freedom of association | | | |
| <p>161.136 Revise the Foreign Contribution (Regulation) Act to ensure benign working conditions for civil society in India (Norway);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>D45 Freedom of association</p> <p>E32 Right to just and favourable conditions of work</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>S08 SDG 8 - economic growth, employment, decent work</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |
| <p>161.135 Amend the Foreign Contribution (Regulation) Act to ensure the right to freedom of association, which includes the ability of civil society organizations to access foreign funding, and protect human rights defenders effectively against harassment and intimidation (Germany);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>D45 Freedom of association</p> <p>H1 Human rights defenders</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>A41 Constitutional and legislative framework</p> <p>Affected persons:</p> <p>- human rights defenders</p> | Not implemented |
| <p>161.137 Improve the Foreign Contribution (Regulation) Act so that it could fund a broader scope of non-governmental organizations (Republic of Korea);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>D45 Freedom of association</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons:</p> <p>- general</p> | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|----------|--|--|
| 161.138 Ensure consistent, transparent application of the Foreign Contribution (Regulation) Act regulations to permit full exercise of the right to freedom of association (United States of America); Source of position: A/HRC/36/10/Add.1 | Noted | D45 Freedom of association S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| 161.139 Review and amend the Foreign Contribution (Regulation) Act, which may restrict the access of NGOs to foreign financial assistance and lead to their arbitrary shut-down (Czechia); Source of position: A/HRC/36/10/Add.1 | Noted | D45 Freedom of association S16 SDG 16 - peace, justice and strong institutions Affected persons: - general | Not implemented |
| 161.140 Lift legal restrictions or hurdles to the work of civil society individuals or organizations and ensure that they can undertake their legitimate activities without fear of reprisals (Switzerland); Source of position: A/HRC/36/10/Add.1 | Noted | D45 Freedom of association S16 SDG 16 - peace, justice and strong institutions A41 Constitutional and legislative framework Affected persons: - general | Not implemented |
| Theme: D51 Administration of justice & fair trial | | | |
| 161.148 Strengthen the independent functioning of the judiciary in order to reduce delays in judicial proceedings, enhance transparency of the processes and guarantee the right to speedy trial (Estonia); Source of position: A/HRC/36/10/Add.1 | Noted | D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors | Not implemented |
| Theme: D6 Rights related to name, identity, nationality | | | |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|----------|---|--|
| <p>161.151 Ensure children's rights to acquire a nationality in accordance with article 7 of the Convention on the Rights of the Child, regardless of the parents' legal status or ethnicity (Slovakia);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>D6 Rights related to name, identity, nationality</p> <p>F31 Children: definition; general principles; protection</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>S10 SDG 10 - inequality</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - children | Not implemented |
| Theme: F13 Violence against women | | | |
| <p>161.51 Criminalize marital rape (Portugal) (Sweden);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>F13 Violence against women</p> <p>A41 Constitutional and legislative framework</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>B52 Impunity</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women | Not implemented |
| <p>161.52 Include a provision in its Penal Code criminalizing marital rape (Australia);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>F13 Violence against women</p> <p>A41 Constitutional and legislative framework</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>B52 Impunity</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|----------|--|--|
| <p>161.53 Remove the exception relating to marital rape from the definition of rape in the Indian Penal Code and criminalize “honour crimes” (Slovenia);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>F13 Violence against women</p> <p>A41 Constitutional and legislative framework</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>B52 Impunity</p> <p>Affected persons:</p> <p>- women</p> | Not implemented |
| <p>161.54 Remove the exception relating to marital rape from the definition of rape in section 375 of the Indian Penal Code (Belgium) (Iceland);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>F13 Violence against women</p> <p>A41 Constitutional and legislative framework</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>B52 Impunity</p> <p>Affected persons:</p> <p>- women</p> | Not implemented |
| <p>161.55 Consider removing the exception relating to marital rape from the definition of rape in section 375 of the Indian Penal Code (Namibia);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>F13 Violence against women</p> <p>A41 Constitutional and legislative framework</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>B52 Impunity</p> <p>Affected persons:</p> <p>- women</p> | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|----------|--|--|
| <p>161.56 Remove the exception of marital rape from the definition of rape in article 375 of the Penal Code, in line with the efforts already undertaken for the protection of women (France);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>F13 Violence against women</p> <p>A41 Constitutional and legislative framework</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>B52 Impunity</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women | Not implemented |
| <p>161.57 Criminalize all forms of sexual abuse of girls under 18 years of age, including marital rape and "honour crimes" (Zambia);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>F13 Violence against women</p> <p>A41 Constitutional and legislative framework</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>B52 Impunity</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women - girls | Not implemented |
| <p>161.58 Take additional steps in criminalizing marital rape (Lithuania);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>F13 Violence against women</p> <p>A41 Constitutional and legislative framework</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>B52 Impunity</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|---|----------|--|--|
| <p>161.203 Eliminate traditional harmful practices, such as the rising number of deaths due to dowry and burning of widows (Bahrain);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>F13 Violence against women</p> <p>B52 Impunity</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - general - women | Not implemented |
| <p>161.206 Increase the resources so that female survivors of violence and domestic abuse can denounce the crimes with guarantees they will be not repeated (Spain);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>F13 Violence against women</p> <p>B52 Impunity</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>B53 Support to victims and witnesses</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women | Not implemented |
| <p>161.195 Take urgent measures to put an end to harmful traditional practices such as so-called "honour killings", selective abortion on the basis of the sex of the fetus, sati, devadasi, early and enforced marriage, bringing the perpetrators to justice and guaranteeing assistance for victims (Argentina);</p> <p>Source of position: A/HRC/36/10/Add.1</p> | Noted | <p>F13 Violence against women</p> <p>B53 Support to victims and witnesses</p> <p>E43 Access to sexual and reproductive health and services</p> <p>S16 SDG 16 - peace, justice and strong institutions</p> <p>S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons:</p> <ul style="list-style-type: none"> - women | Not implemented |

| Recommendation | Position | Full list of themes | Amnesty International's assessment/comments on level of implementation |
|--|----------|---|--|
| 161.196 Implement existing laws on all forms of violence and sexual violence against women and girls, including "honour" crimes, female feticide and female infanticide; expand the definition of rape and sexual assault to include marital rape; and end harmful practices such as child, early and forced marriage (Canada); Source of position: A/HRC/36/10/Add.1 | Noted | F13 Violence against women B53 Support to victims and witnesses S16 SDG 16 - peace, justice and strong institutions S05 SDG 5 - gender equality and women's empowerment Affected persons: - women | Not implemented |
| Theme: H1 Human rights defenders | | | |
| 161.134 Enact a law for the protection of human rights defenders (Lithuania); Source of position: A/HRC/36/10/Add.1 | Noted | H1 Human rights defenders A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - human rights defenders | Not implemented |

¹ Consejo de Derechos Humanos, *Informe del Grupo de Trabajo sobre el*

Examen Periódico Universal, India, A/HRC/36/10, 17 de julio de 2017, recomendaciones 161.51-58 (Portugal, Suecia, Australia, Eslovenia, Bélgica, Islandia, Namibia, Francia, Zambia, Lituania, 161.68 (México), 161.71 (Irlanda), 161.96 (Canadá), 161.102 (Islandia), 161.159 (Namibia), 161.195 (Argentina), 161.197-203 (Chequia, Grecia, China, Liechtenstein, Japón, Kirguistán, Vietnam, Bahréin), 161.206-209 (España, Italia, Honduras), 161.214-215 (Brasil, Chile).

² A/HRC/36/10, recomendación 161.72 (Estados Unidos de América).

³ A/HRC/36/10, recomendación 161.81 (Perú).

⁴ Véase Rana Ayyub, "What a Rising Tide of Violence Against Muslims in India Says About Modi's Second Term", *TIME*, 28 de junio de 2019, time.com/5617161/india-religious-hate-crimes-modi/.

⁵ A/HRC/36/10, recomendación 161.141 (Lituania).

⁶ A/HRC/36/10, recomendación 161.100 (Federación Rusa).

⁷ A/HRC/36/10, recomendación 161.95 (Grecia).

⁸ A/HRC/36/10, recomendaciones 161.5-9 (Botsuana, Noruega, Chequia, Bulgaria, Grecia, Guatemala, Italia, Líbano, Montenegro, Mozambique, Sudáfrica, Suecia, Turquía, Ucrania, Estados Unidos de América); 161.11 (Australia); 161.16-22 (República de Corea, Israel, Chile, Burkina Faso, Federación Rusa, Dinamarca, Indonesia).

⁹ A/HRC/36/10, recomendación 161.45 (Letonia).

¹⁰ Artículo 6 de la Ley de Nacionalidad de 1955. La reforma se aprobó el 10 de diciembre de 2019 a pesar de la oposición de numerosas organizaciones de la sociedad civil y de la ciudadanía india, que llevaron a cabo protestas pacíficas. La alta comisionada de las Naciones Unidas para los derechos humanos afirmó que las reformas tendrían un efecto discriminatorio en el acceso de las personas a la nacionalidad; el artículo 2.1 del Pacto Internacional de Derechos Civiles y Políticos (PIDCP) obliga a los Estados "a respetar y a garantizar a todos los individuos que se encuentren en su territorio y estén sujetos a su jurisdicción los derechos reconocidos en el presente Pacto, sin distinción alguna de raza, color, sexo, idioma, religión, opinión política o de otra índole, origen nacional o social, posición económica, nacimiento o cualquier otra condición social"; el artículo 5 de la Convención Internacional sobre la Eliminación de Todas las Formas de Discriminación Racial, por su parte, obliga al Estado a "garantizar el derecho de toda persona a la igualdad ante la ley, sin distinción de raza, color y origen nacional o étnico."

¹¹ El 5 de agosto, el presidente de India, Ram Nath Kovind, aprobó la Ley de Protección Infantil frente a los Delitos Sexuales (Reformada) de 2019.

¹² El artículo 6 del PIDCP establece que “sólo podrá imponerse la pena de muerte por los más graves delitos y de conformidad con leyes que estén en vigor en el momento de cometerse el delito”. En 2019, el Comité de Derechos Humanos, en su observación general núm. 36 sobre el artículo 6 del Pacto Internacional de Derechos Civiles y Políticos (derecho a la vida), afirmó: “El término ‘los más graves delitos’ debe interpretarse de forma restrictiva y limitarse exclusivamente a delitos de extrema gravedad de homicidio intencional. Los delitos que no desemboquen directa e intencionalmente en la muerte, como la tentativa de

asesinato, la corrupción y otros delitos económicos y políticos, el robo a mano armada, la piratería, el secuestro, los delitos relacionados con las drogas y los delitos sexuales, a pesar de revestir gravedad, nunca se podrán invocar, en el marco del artículo 6, para imponer la pena de muerte”, 3 de septiembre de 2019, doc. ONU CCPR/C/GC/36, párr. 35.

¹³ Ley de Prevención de Actividades Ilegales de 2019, núm. 28 de 2019 (8 de agosto de 2019).

¹⁴ En una comunicación de 6 de mayo de 2020, la relatora especial sobre la promoción y protección de los derechos humanos y las libertades fundamentales en la lucha contra el terrorismo; el Grupo de Trabajo sobre la Detención Arbitraria; la relatora especial sobre la promoción y protección del derecho a la libertad de expresión; el relator especial sobre el derecho a la libertad de reunión pacífica y de asociación; la relatora especial sobre la situación de los defensores de los derechos humanos; el relator especial sobre la independencia de magistrados y abogados; el relator especial sobre cuestiones de las minorías; la relatora especial sobre el derecho a la privacidad; y el relator especial sobre la libertad de religión o de creencias, en virtud de las resoluciones 40/16, 42/22, 34/18, 41/12, 42/10, 35/11, 34/6, 27/2 y 40/10 del Consejo de Derechos Humanos, escribieron al gobierno de India expresando su preocupación en relación con la compatibilidad de la Ley de Reforma de la Prevención de Actividades Ilegales de 2019 con las obligaciones contraídas por India en aplicación del derecho internacional de los derechos humanos y en relación con las normas internacionales pertinentes sobre legislación antiterrorista.

¹⁵ En 2015, la Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos recomendó a los Estados que comenzaran inmediatamente a “[e]xpedir, a quienes los soliciten, documentos legales de identidad que reflejen el género preferido del titular, eliminando los requisitos abusivos, como la esterilización, el tratamiento forzado y el divorcio.”

¹⁶ Ley de Reforma de la Regulación de Contribuciones Extranjeras de 2020, núm. 33 de 2020 (28 de septiembre de 2020).

¹⁷ En abril de 2016, la relatora especial de la ONU sobre la promoción y protección del derecho a la libertad de expresión publicó un análisis jurídico en el que afirmaba que la FCRA no era compatible con el derecho, los principios y las normas internacionales; véase la nota informativa de la relatora especial de la ONU sobre la promoción y protección del derecho a la libertad de expresión, *Analysis on international law, standards and principles applicable to the Foreign Contributions Regulation Act 2010 and Foreign Contributions Regulation Rules 2011*, 20 de abril de 2016 www.ohchr.org/sites/default/files/Documents/Issues/FAssociation/InfoNoteIndia.pdf. En junio de 2016, la relatora especial de la ONU sobre la situación de los defensores de los derechos humanos, la relatora especial sobre la promoción y protección del derecho a la libertad de expresión y el relator especial sobre el derecho a la libertad de reunión pacífica y de asociación pidieron al gobierno de India que derogase la FCRA afirmando que se estaba utilizando de forma creciente para silenciar a organizaciones que trabajaban en la defensa de prioridades civiles, políticas, económicas, sociales, medioambientales o culturales que podrían diferir de las respaldadas por el gobierno. Véase Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos, *UN rights experts urge India to repeal law restricting NGO's access to crucial foreign funding*, 16 de junio de 2016, <https://news.un.org/en/story/2016/06/532302-un-rights-experts-urge-india-repeal-law-restricting-civil-society-access>. En octubre de 2020, la alta comisionada de las Naciones Unidas para los derechos humanos Michelle Bachelet pidió al gobierno de India que protegiera los derechos de quienes defienden los derechos humanos y expresó su pesar, en concreto, por la reducción del espacio para las ONG de derechos humanos con medidas como la aplicación de leyes de redacción imprecisa como la FCRA que limitan las actividades de las ONG y restringen la financiación extranjera. Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos, *Bachelet dismayed at restrictions on human rights NGOs and arrests of activists in India*, 20 de junio de 2016, <https://www.ohchr.org/en/press-releases/2020/10/bachelet-dismayed-restrictions-human-rights-ngos-and-arrests-activists-india>

¹⁸ Las Normas regulan lo que se conoce como plataformas de transmisión libre (plataformas OTT), como los servicios de transmisión de televisión, así como las plataformas de medios informativos, y permiten el bloqueo y la censura de contenido sin ningún respaldo legislativo. La introducción de las Normas también establecía la identificación de la entidad originadora de determinada información en las redes sociales, lo que vulnera efectivamente el cifrado de extremo a extremo y viola el derecho a la intimidad.

¹⁹ Informe del Subcomité de Acreditación (SCA) de la Alianza Global de las Instituciones Nacionales de Derechos Humanos (GANHRI), noviembre de 2017, <https://ganhri.org/wp-content/uploads/2019/11/SCA-Report-November-2017-Sp.pdf>; Véanse, por ejemplo, Mahtab Alam, “India’s National Human Rights Commission is Defeating Its Own Purpose”, *The Wire*, 14 de octubre de 2019, thewire.in/rights/nhrc-amiit-shah-khushboo-chauhan-human-rights e “India: The National Human Rights Commission not upholding its mandate or protecting the constitution”, *Civicus*, 1 de octubre de 2020, www.civicus.org/index.php/media-resources/news/united-nations/geneva/4672-india-the-national-human-rights-commission-not-upholding-its-mandate-or-protecting-the-constitution.

²⁰ Ley de Protección de los Derechos Humanos, reforma de 2019, núm. 19 de 2009 (27 de julio de 2019) egazette.nic.in/WriteReadData/2019/208592.pdf

²¹ Ha recibido solicitudes de la relatora especial sobre racismo (la más reciente en marzo de 2017), el relator especial sobre cuestiones de las minorías (la más reciente en enero de 2018), el relator especial sobre los derechos de los pueblos indígenas (la más reciente de diciembre de 2017), la relatora especial sobre la trata de personas (la más reciente en junio de 2018), el relator especial sobre sustancias tóxicas y derechos humanos (la más reciente en febrero de 2019), el Grupo de Trabajo sobre la discriminación de las mujeres y las niñas (la más reciente en febrero de 2018), la relatora especial sobre los derechos culturales (la más reciente en enero de 2019), la relatora especial sobre la libertad de expresión (la más reciente en diciembre de 2018), el Grupo de Trabajo de Especialistas sobre las Personas Afrodescendientes (la más reciente en noviembre de 2017), la relatora especial sobre la venta y la explotación sexual de niños (la más reciente en noviembre de 2018), el experto independiente sobre solidaridad internacional (la más reciente en junio de 2019), el experto independiente sobre la orientación sexual y la identidad de género (la más reciente en enero de 2020), la relatora especial sobre las personas afectadas por la lepra (la más reciente en octubre de 2019), el relator especial sobre el medio ambiente (la más reciente en marzo de 2020), el Grupo de Trabajo sobre empresas y derechos humanos (la más reciente en febrero de 2020), la relatora especial sobre derechos humanos y la lucha contra el terrorismo (la más reciente en septiembre de 2020), el relator especial sobre la tortura (la más reciente en agosto de 2021), el Grupo de Trabajo sobre Desapariciones Forzadas (la más reciente en enero de 2022), la relatora especial sobre el derecho a la privacidad (la más reciente en febrero de 2022), el relator especial sobre las formas contemporáneas de la esclavitud (la más reciente en enero de 2022), el relator especial sobre el

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derecho a la libertad de reunión pacífica y de asociación (la más reciente en noviembre de 2021), el relator especial sobre la extrema pobreza (la más reciente en octubre de 2021), el Grupo de Trabajo sobre la detención arbitraria (la más reciente en febrero de 2018), la relatora especial sobre la violencia contra la mujer (la más reciente en octubre de 2021), el experto independiente sobre la promoción de un orden internacional democrático (la más reciente en octubre de 2021).

²² Desde 2017, periodistas que se expresan con franqueza como Gauri Lankesh, Shujaat Bukhari, Sudip Datta Bhowmick y Shantanu Bhowmick han sido víctimas de homicidio por informar de forma crítica sobre el nacionalismo hindú, enfrentamientos políticos violentos y el conflicto de Jammu y Cachemira. Activistas de derechos humanos, periodistas y estudiantes dalits han sido víctimas de amenazas, detenciones y reclusión prolongada por organizar conferencias sobre la violencia por motivos de casta y protestas pacíficas contra Yogi Adityanath, ministro principal del estado de Uttar Pradesh. Cineastas independientes, dirigentes de la oposición, periodistas y celebridades han sido acusados de sedición por criticar el silencio del gobierno indio sobre el aumento de los crímenes de odio contra comunidades marginadas mediante la publicación de posts en redes sociales y cartas abiertas. Medios informativos y organizaciones no gubernamentales han sufrido incursiones so pretexto de cargos de evasión fiscal y desviación de fondos por informar sobre el vertido masivo de cadáveres de víctimas de la COVID-19 en el río Ganges debido a los elevados costes de la cremación y por procurar alivio a las víctimas.

²³ Comité para la Protección de los Periodistas, *Jammu and Kashmir police assault journalists covering religious procession*, 21 de agosto de 2021, cpj.org/2021/08/jammu-and-kashmir-police-assault-journalists-covering-religious-procession/.

²⁴ Artículo 124A.

²⁵ Artículos 295A y 298.

²⁶ Artículos 153A y 505.

²⁷ Amnistía Internacional India, *India: Citizenship Act protesters tortured in detention – new testimony*, 16 de enero de 2020, www.amnesty.org.uk/press-releases/india-citizenship-act-protesters-tortured-detention-new-testimony.

²⁸ Al Yazira, *India revokes Kashmir's special status*, 4 de septiembre de 2019, www.aljazeera.com/news/2019/9/4/india-revokes-kashmirs-special-status.

²⁹ Access Now, *Shattered Dreams and Lost Opportunities: A year in the fight to #KeepItOn*, marzo de 2021,

www.accessnow.org/cms/assets/uploads/2021/03/KeepItOn-report-on-the-2020-data_Mar-2021_3.pdf.

³⁰ Amnistía Internacional India, *Situation Update And Analysis: Jammu and Kashmir after one year of abrogation of Article 370 and change of status of the region*, www.amnesty.be/IMG/pdf/jammu_and_kashmir_after_one_year_of_abrogation_of_article_370.pdf.

³¹ Durante el confinamiento nacional impuesto tras el estallido de la pandemia de COVID-19, más de 50 periodistas fueron detenidos o acusados, en aplicación de las leyes del estado de excepción, por difundir “desinformación” o “noticias falsas”. Véase, por ejemplo, Danish Raza, “India arrests dozens of journalists in clampdown on critics of COVID-19 response”, *The Guardian*, 31 de julio de 2020, www.theguardian.com/global-development/2020/jul/31/india-arrests-50-journalists-in-clampdown-on-critics-of-covid-19-response.

³² FCRA Online, Registration Cancel List, https://fcraonline.nic.in/fc8_cancel_query.aspx

³³ “Oxfam India says it's ‘severely’ hit by ban on foreign funds”, *BBC News*, 3 de enero de 2022, www.bbc.co.uk/news/world-asia-india-59856377.

³⁴ En una comunicación de 21 de octubre de 2020 dirigida al gobierno de India, el relator especial sobre el derecho a la libertad de reunión pacífica y de asociación, la relatora especial sobre la promoción y protección del derecho a la libertad de opinión y de expresión y la relatora especial sobre la situación de los defensores de los derechos humanos expresaron su preocupación por la congelación de las cuentas bancarias de Amnistía Internacional India en aplicación de la FCRA como represalia por los informes abiertamente críticos de la organización sobre Jammu y Cachemira, así como sobre los disturbios de Delhi de febrero de 2020, referencia: AL IND 17/2020, disponible en: spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?glid=25633.

³⁵ Activistas de derechos humanos de la comunidad indígena adivasi han sido objeto de detención en aplicación de la UAPA por denunciar violaciones de derechos humanos cometidas por fuerzas de seguridad del Estado. Un gran número de activistas de derechos humanos y estudiantes de diversas universidades de India han sido objeto de detención arbitraria en aplicación de diversas disposiciones draconianas del Código Penal y de la Ley de Seguridad Nacional de India por protestar contra la Ley de Reforma de la Nacionalidad. La relatora especial sobre la situación de los defensores de los derechos humanos, la relatora especial sobre la promoción y protección del derecho a la libertad de opinión y de expresión, el relator especial sobre el derecho a la libertad de reunión pacífica y de asociación, la relatora especial sobre las formas contemporáneas de racismo, el relator especial sobre la libertad de religión o de creencias, la relatora especial sobre la promoción y protección de los derechos humanos y las libertades fundamentales en la lucha contra el terrorismo, el relator especial sobre la tortura y otras penas crueles, inhumanas y degradantes pidieron a India la libertad inmediata de las personas defensoras de los derechos humanos que hubieran sido detenidas por protestar contra los cambios en las leyes sobre nacionalidad del país. Oficina del Alto Comisionado de las Naciones Unidas para los Derechos Humanos, *UN experts urge India to release protest leaders*, 26 de junio de 2020, <https://www.ohchr.org/en/news/2020/06/un-experts-urge-india-release-protest-leaders?LangID=F&NewsID=26002>. La policía detuvo arbitrariamente a activistas que protestaban contra las tres leyes agrícolas. Muchos fueron también torturados bajo custodia policial.

³⁶ Entre 2018 y 2021, fueron detenidos 16 activistas de derechos humanos en aplicación de la Ley de Prevención de Actividades Ilegales y diversos artículos del Código Penal indio por “librar una guerra contra el país”. Todos ellos han trabajado con las personas más marginadas de India, como las comunidades dalit y adivasi, y tenían opiniones contrarias al gobierno. Aunque dos fueron puestos en libertad bajo fianza y uno murió bajo custodia, 13 continúan encarcelados en el estado de Maharashtra. El padre Stan Swamy, de 84 años, uno de los 16, murió de COVID-19 en la prisión mientras esperaba que los tribunales le concedieran la libertad bajo fianza. Este sacerdote jesuita y defensor de los derechos humanos tribales fue detenido por la Agencia Nacional de Investigación (NIA) en aplicación de la Ley de Prevención de Actividades Ilegales por su presunta participación en los actos violentos de Bhima Koregaon y su relación con el proscrito Partido Comunista de India (maoísta). El padre Swamy padecía la enfermedad de Parkinson en estado avanzado y fue sometido a condiciones sumamente penosas en prisión. Pese al deterioro de su estado, los tribunales le negaron la libertad bajo fianza. Finalmente, murió a causa de la COVID-19 bajo custodia judicial. Durante el tiempo que estuvo en prisión, la NIA opuso a su petición de un dispositivo para sorber habida cuenta de que no podía beber agua debido a lo avanzado de su enfermedad. Declaración conjunta de Amnistía Internacional; CIVICUS: Alianza Mundial por la Participación Ciudadana; CSW; FIDH, en el marco del Observatorio para la Protección de los Defensores de los Derechos Humanos; Front Line Defenders; Comisión Internacional de Juristas, y la Red Internacional de Solidaridad Dalit, *Statement on the death of human rights defender Father Stan Swamy*, www.amnesty.eu/wp-content/uploads/2021/07/Statement-on-the-death-of-Fr.-Stan-Swamy-India_FINAL.pdf.

³⁷ India ocupaba el puesto 142 de la Clasificación Mundial de la Libertad de Prensa de 2021 de Reporteros sin Fronteras y fue calificado de “uno de los países más peligrosos del mundo para periodistas”. Reporteros sin Fronteras, *Clasificación Mundial de la Libertad de Prensa 2021, India*, <https://rsf.org/es/india>

³⁸ La Constitución de India otorga a ciertas comunidades dalit la condición de casta reconocida y a ciertas comunidades adivasis la condición de tribu reconocida.

³⁹ Oficina Nacional de Antecedentes Penales, “Crime Statistics India 2020”, Ministerio del Interior, Gobierno de India, Tabla 7A.2, 10 de septiembre de 2021, www.ncrb.gov.in/sites/default/files/crime_in_india_table_additional_table_chapter_reports/TABLE%207A.2.pdf.

⁴⁰ Oficina Nacional de Antecedentes Penales, “Crime Statistics India 2020”, Ministerio del Interior, Gobierno de India, Tabla 7C.2, 10 de septiembre de 2021, http://www.ncrb.gov.in/sites/default/files/crime_in_india_table_additional_table_chapter_reports/TABLE%207C.2.pdf.

⁴¹ Oficina Nacional de Antecedentes Penales, “Prison Statistics India 2020”, Ministerio del Interior, Gobierno de India, Tabla 2.10 D y 2.10 C, 24 de diciembre de 2021, disponible en: <https://ncrb.gov.in/en/crime-india>.

⁴² Véanse, por ejemplo, “Unnao rape case: Indian woman set on fire on way to hearing dies”, *BBC News*, 7 de diciembre de 2019, www.bbc.co.uk/news/world-asia-india-50697139; Geeta Pandey, “Hathras rape case: Prisoners in their own home, lives on hold, a village divided”, *BBC News*, 29 de septiembre de 2021, www.bbc.co.uk/news/world-asia-india-58706861; Zafar Aafaq, “Dalit girl allegedly raped, killed and forcibly cremated in India”, *Al Jazeera*, 4 de agosto de 2021, www.aljazeera.com/news/2021/8/4/dalit-girl-raped-forcibly-cremated-india-new-delhi; y Rakhi Bose, “Adivasi Women Activists Still Stuck In Cycle Of Rape And Persecution In Maoist-hit Areas”, *Outlook India*, 16 de marzo de 2022, www.outlookindia.com/national/why-ativasi-women-activists-are-stuck-in-cycle-of-rape-and-persecution-in-maoist-hit-areas-news-187129.

⁴³ Las personas que viven en las zonas rurales se vieron afectadas desmesuradamente en cuanto a número total de casos y muertes por COVID-19. La falta de camas y de servicios de oxígeno, y la precaria atención primaria de salud en las zonas rurales exacerbaron la crisis. La irrazonable dependencia gubernamental de la privatización de la atención sanitaria, sin garantizar la rendición de cuentas adecuada ni una supervisión adecuadas, obstaculizó el acceso efectivo a una atención sanitaria de calidad. La desproporción entre personal sanitario y pacientes, y el déficit sistemático de profesionales de la medicina, especialistas y cirujanos provocó un colapso de la sanidad pública. Vibha Varshney, “Behind the curve: How COVID-19 exposed India’s apathetic rural health infrastructure”, *Down to Earth*, 20 de junio de 2021, www.downtoearth.org.in/news/health/behind-the-curve-how-covid-19-exposed-india-s-apatetic-rural-health-infrastructure-77393.

⁴⁴ Amnistía Internacional, *Expuesto, acallado y atacado: Deficiencias en la protección del personal sanitario y que realiza labores esenciales durante la pandemia de COVID-19*, 13 de julio de 2020, www.amnesty.org/es/documents/po40/2572/2020/es/.

⁴⁵ Quienes trabajaban en el sector informal —que representa más de tres cuartas partes de la fuerza laboral de India— han tenido enormes dificultades debido a la pérdida de empleo generalizada y al aumento de la jornada laboral de 8 a 12 horas. Véanse, por ejemplo, Adil Bhat, “Suspension of Indian labour laws to hurt low-income workers”, *The Diplomat*, 23 de julio de 2020, [suspension-of-indian-labor-laws-to-hurt-low-income-workers/thediplomat.com/2020/06/](http://www.thediplomat.com/2020/06/) y Nilena MS, “India’s labour law reforms without social dialogue are of concern: ILO’s Corinne Vargha”, *The Caravan*, 9 de diciembre de 2020, www.caravanmagazine.in/labour/india-labour-reforms-is-of-concern.

⁴⁶ En abril de 2020 salieron a la luz casos de hospitales que rechazaban a mujeres embarazadas y pacientes de cáncer musulmanes. En los meses que siguieron al confinamiento nacional de marzo, las redes sociales y los grupos de WhatsApp se vieron inundados de llamamientos al boicot social y económico de la comunidad musulmana, junto con noticias falsas y otras informaciones erróneas. Véase OXFAM India, *Securing Rights of Patients in India: Lessons from rapid surveys on peoples’ experiences of Patient’s Rights Charter and the COVID-19 vaccination drive*, noviembre de 2021, <https://www.oxfamindia.org/knowledgehub/oxfamination/securing-rights-patients-india>.

⁴⁷ Amnistía Internacional, *India’s most vulnerable bear the brunt of COVID-19*, 31 de marzo de 2020, <https://www.amnesty.org.uk/indias-most-vulnerable-bare-brunt-covid-19>.

⁴⁸ Divya Trivedi, “COVID-19 and the plight of the transgender community”, *Frontline*, 29 de abril de 2020, <http://frontline.thehindu.com/dispatches/article31463945.ece>.

⁴⁹ National Campaign on Dalit Human Rights, *Delayed and Denied: Injustice in COVID-19 Relief*, http://www.ncdhr.org.in/wp-content/uploads/2021/05/PMGKY-Inclusion-Assessment_4-states-Ph-II.pdf.

⁵⁰ Sakhet Gokhale, “PM CARES Fund Now Has ‘Independent Auditor’ But Remains Beset by Lack of Transparency”, *The Wire*, 19 de junio de 2020, <https://thewire.in/government/pm-cares-fund-now-has-independent-auditor-but-remains-beset-by-lack-of-transparency>.

⁵¹ Al menos 300 números de teléfono de personas que defienden los derechos humanos, periodistas, profesionales de la abogacía, autoridades del gobierno y figuras políticas de la oposición podrían estar afectados. El programa espía, analizado por Amnistía Internacional, permitía a organismos del gobierno vigilar toda la actividad telefónica, incluidos correos electrónicos, archivos, listas de contactos, información sobre ubicación y mensajes de chat. También permitía que los gobiernos grabaran en secreto audios y vídeos usando el micrófono y la cámara del teléfono. El Partido del Pueblo Indio (BJP), en el poder, paralizó todos los intentos de dirigentes de la oposición en el Parlamento de iniciar una investigación sobre las denuncias. El 27 de octubre, el Tribunal Supremo ordenó la creación de un comité de tres miembros para llevar a cabo una investigación independiente sobre el uso del programa espía Pegasus para realizar vigilancia ilegítima. *Amnistía Internacional, Forensic Methodology Report: How to Catch NSO Group’s Pegasus*, 18 de julio de 2021, <https://www.amnesty.org/es/documents/doc10/4487/2021/en/>.

⁵² Amnistía Internacional, *India: Hyderabad ‘on the brink of becoming a total surveillance city’*, 9 de noviembre de 2021, <https://www.amnesty.org/en/latest/news/2021/11/india-hyderabad-on-the-brink-of-becoming-a-total-surveillance-city/>.

⁵³ El sitio web Halt the Hate de Amnistía Internacional India registró 181 incidentes de presuntos crímenes de odio en la primera mitad de 2019, el aumento más pronunciado de este tipo de incidentes desde 2015. Más de dos tercios de las víctimas fueron escogidas porque eran dalits, mientras que 40 de ellas lo habían sido por su identidad musulmana. En 37 de los casos de los que se tuvo noticia, mataron a las víctimas. En 30 casos, las víctimas fueron violadas o agredidas sexualmente. Entre enero y junio de 2019, se denunciaron 72 agresiones colectivas. En 5 de los 37 ataques contra personas musulmanas las víctimas fueron linchadas. En 8 de las 28 agresiones colectivas contra dalits, las víctimas fueron linchadas.

⁵⁴ A menudo se concluyó que agentes de policía presenciaron los actos de violencia contra minorías y contra personas que protestaban pacíficamente o incluso fueron perpetradores activos. Véase Amnistía Internacional India, *India: Six Months Since Delhi Riots, Delhi Police Continue To Enjoy Impunity Despite Evidence Of Human Rights Violations*, 28 de agosto de 2020, disponible en: <https://www.amnesty.org.uk/files/2020-08/Delhi%20Report%20Amnesty%20International%20India.pdf>

⁵⁵ Ley de Libertad de Religión de Uttarakhand, núm. 28 de 2018 (11 de mayo de 2018); Ley de Libertad de Religión de Himachal Pradesh, núm. 13 de 2019 (6 de noviembre de 2019); Ordenanza de Prohibición de la Conversión Ilegítima de Religión de Uttar Pradesh, núm. 21 de 2020 (27 de noviembre de 2019); Ordenanza sobre Libertad de Religión de Madhya Pradesh, núm. 1 de 2020 (9 de enero de 2020); Ley de Libertad de Religión de Gujarat (Reformada), Ley de Prohibición de la Transferencia de Bienes Inmuebles y Disposición para la Protección de los Arrendatarios del Desahucio de Locales en Zonas Afectadas de Gujarat (Reformada), núm. 17 de 2020 (12 de octubre de 2020), Ley de Protección Animal de Gujarat (Reformada)

de 2017, Ordenanza de Prevención del Sacrificio y Protección del Ganado de Karnataka, 2020; Ley de Protección de los Derechos de las Mujeres Musulmanas en el Matrimonio, núm. 20 de 2019 (31 de julio de 2019).

⁵⁶ Amnistía Internacional India, *India: Six Months Since Delhi Riots, Delhi Police Continue To Enjoy Impunity Despite Evidence Of Human Rights Violations*, 28 de agosto de 2020, disponible en: www.amnesty.org.uk/files/2020-08/Delhi%20Report%20Amnesty%20International%20India.pdf.

⁵⁷ El Foro Cristiano Unido calificó 2021 del “año más violento” para la comunidad cristiana en India. La organización registró 486 casos de violencia contra miembros de esa comunidad. La mayoría de ellos tenían relación con la apología del odio contra la comunidad por convertir supuestamente al cristianismo a personas de otras religiones. Disponible en: <https://www.persecution.org/2022/01/01/2021-ends-violent-year-christians-india/>.

⁵⁸ Amnistía Internacional India, *Designed to Exclude: How India's Courts are Allowing Foreigners Tribunals to Render People Stateless in Assam*, noviembre de 2020, disponible en: http://www.amnesty.be/IMG/pdf/rapport_inde.pdf.

⁵⁹ Mayank Aggarwal, “Indian ministries want to limit public consultations that are necessary before approving projects”, *Scroll. In*, 30 de junio de 2020, www.scroll.in/article/966004/indias-ministries-are-eager-to-dilute-the-public-consultation-clause-that-brings-accountability.

⁶⁰ The Quint, *Amnesty Condemns SC Ruling on Evicting 10 Lakh Tribal Families*, 21 de febrero de 2019, <https://www.thequint.com/news/india/supreme-court-of-india-tribal-families-eviction-amnesty-statement>. El 28 de febrero de 2019, el Tribunal Supremo suspendió la ejecución de la orden y ordenó a los estados que presentaran declaraciones juradas en las que detallasen el proceso adoptado para rechazar las reclamaciones por derechos de propiedad de habitantes tribales y no tribales en virtud de la Ley de Derechos Forestales. Tras la revisión, el número de reclamaciones rechazadas se redujo considerablemente. Press Trust of India, *FRA cases: Review of rejected cases complete, number reduces considerably*, 19 de junio de 2019, http://www.ptinews.com/news/10649553_FRA-cases--Review-of-rejected-cases-complete-number-reduces-considerably.

⁶¹ Oficina Nacional de Antecedentes Penales, “Crime Statistics India 2020”, Ministerio del Interior, Gobierno de India, Tabla 3A.2, https://ncrb.gov.in/sites/default/files/crime_in_india_table_additional_table_chapter_reports/TABLE%203A.2.pdf.

⁶² The Wire, *Criminalising Marital Rape Will Threaten the Institution of Marriage, Centre Tells Delhi HC*, 29 de agosto de 2020, <https://thewire.in/gender/criminalising-marital-rape-will-threaten-institution-marriage-centre-tells-delhi-hc>.

⁶³ Por ejemplo, en 2019, Ranjan Gogoi, entonces presidente del Tribunal Supremo de India, fue acusado de acoso sexual por una auxiliar judicial. En las actuaciones judiciales no se siguieron los procedimientos previstos en la Ley de Prevención, Prohibición y Reparación del Acoso Sexual de Mujeres en el Lugar de Trabajo. Como consecuencia, la auxiliar se retiró de los procedimientos. Véanse también: Hindustan Times, *Nadia rape: CBI starts probe, victim's father says accused took body at gunpoint*, 14 de abril de 2022, <https://www.hindustantimes.com/india-news/nadia-rape-cbi-starts-probe-victim-s-father-says-accused-took-away-body-at-gunpoint-101649876475546.html>. Tomas Chamorro-Premuzic y Avivah Wittenberg-Cox, “How the pandemic increased domestic abuse and sexual violence against women”, *Forbes*, 27 de marzo de 2021, www.forbes.com/sites/tomaspremuzic/2021/03/27/how-the-pandemic-increased-domestic-abuse-and-sexual-violence-against-women/?sh=6936f4e950a7.

⁶⁴ BBC News, *Hijab ban: Karnataka high court upholds government order on headscarves*, 15 de marzo de 2022, <https://www.bbc.co.uk/news/world-asia-india-60300009>.