

5.1 The Government of India have set up a forum for redressal of human rights violations by constituting the National Human Rights Commission (NHRC) and provided for the setting up of State Human Rights Commission (SHRC) under the Protection of Human Rights Act, 1993.

5.2 The Constitution of India has provisions and guarantees for safeguarding almost the entire gamut of civil and political rights. Directive Principles of State Policy further require the States to ensure the promotion and protection of social, cultural and economic rights, particularly of the weaker sections of the society, so as to bring about a just and equitable social order, leading to an overall improvement in the quality of life for all sections of the society. The civil and criminal laws of our country have also in-built mechanism to safeguard the rights of the individuals and provide special protection to the most vulnerable sections of the society.

### Human Rights Education and Training

5.3 A National Action Plan for Human Rights Education, adopted by the Government of India, envisages promotion and awareness of human rights to all sections of the society. Specific target groups have been identified such as schools, colleges and universities. Government officials, armed forces, prison officials and law officers are also sensitised to the protection of human rights.

5.4 The Ministry of Home Affairs has taken various initiatives for the spread of human rights education; such as

- Human Rights courses have been introduced as a part of the training for the Border Security Force and the Central Reserve Police Force.

- Human Rights courses have also been introduced as a part of the training at the National Police Academy and Police Training Colleges.

### Transparency and Commitment to Human Rights

5.5 The Government have cooperated fully with various human rights agencies functioning under United Nations (UN) and have been responding in an appropriate manner to specific complaints of alleged human rights violations. The Government have also, in their obligation under International Convention, been sending information and replies to specific issues and questions received from various Rapporteurs of the UN High Commission for Human Rights including complaints of human rights violations received from Permanent Mission of India, Geneva through the Ministry of External Affairs.

### Memorandum of Understanding (MoU) with ICRC

5.6 In consonance with their policy of transparency, the Government of India have signed an MoU with the International Committee of the Red Cross (ICRC) in June, 1995, which provides the Delegates of the ICRC access to detention centres where individuals, arrested or detained in connection with the situation prevailing in J&K, are lodged. Since the operation of the MoU in 1995, the ICRC delegates have made 832 visits and have visited/ revisited 67 places of detention and registered 10,388 detainees up to December, 2007.

### NATIONAL HUMAN RIGHTS COMMISSION (NHRC)

5.7 The NHRC was set up under the Protection

of Human Rights Act, 1993. It is headed by a former Chief Justice of the Supreme Court. One of the primary functions of NHRC is to receive complaints and initiate investigations into violations of Human Rights by public servants by acts of commission and omission through negligence on their part to prevent violation of human rights when brought to its notice within one year of the commission of such violation. During the year 2007-08 (up to December 31, 2007), 76,444 cases were registered by the Commission for consideration. The Commission disposed off 73,618 cases, which includes cases brought forward from the previous years, during the period up to December 31, 2007, including recommendation for payment of interim relief in 86 cases amounting to Rs.148.94 lakh. The Commission has set up a Training Division with a focus on imparting training to various stakeholders. The emphasis, wherever possible, is on collaboration with renowned training institutions so that these programmes become self-sustaining.

### **Custodial Deaths**

5.8 Custodial violence has been one of the core concerns of the NHRC and with each succeeding year the Commission has deepened and widened its analysis and directives in regard to such matters. On their part, in accordance with guidelines, the agencies of the States/UTs have been found prompt in informing the Commission within 24 hours about occurrence of incidents of custodial death. During the period April 1, 2007 to December 31, 2007, a total of 1,459 cases of custodial deaths (1,315 cases of judicial custodial deaths and 144 cases of police custody deaths) were reported to the Commission by the State Governments/UT Administrations. The cases of custodial deaths are reviewed in the Commission, with the help of its Investigation Division, and appropriate orders passed in respect of them. During the period, the Commission recommended payment of interim relief of Rs.81.45 lakh to the next-of-kin of the victims in 51 cases of custodial deaths.

### **Trafficking in Women and Children**

5.9 The Commission completed an Action Research on Trafficking in Women and Children in India in collaboration with the United Nations Development Fund for Women (UNIFEM) and the Institute of Social Sciences, New Delhi, in order to know the trends, dimensions, factors and responses related to trafficking in women and children. Besides requesting all the concerned agencies to implement the recommendations made in the report, the Commission itself has prepared a comprehensive Plan of Action to implement them in true spirit. The Plan of Action has been disseminated among all stakeholders.

### **Human Rights Awareness, Education and Training**

5.10 The Commission attaches considerable significance to the dissemination of information and awareness on human rights issues. It has already come out with several publications, both priced and non-priced, on variety of subjects related to human rights. The Commission which had in December, 2004 released a collection of eight booklets under the "Know Your Rights" series, continued its endeavor to have it translated in all the regional languages. The booklet series is now available in 8 regional languages apart from English and Hindi. The process of its publication in 5 other regional languages is underway.

5.11 As a part of its objective of human rights education at the University level, the Commission continued to hold Summer Internship programme, which was conducted from May 15, 2007 to June 14, 2007. The Winter Internship Programme commenced on December 17, 2007 and concluded on January 16, 2008 and 46 Interns attended the programme. During these internship programmes, the selected students were sensitised towards the activities of the Commission and human rights values.

\*\*\*\*\*