International Treaties on Human Rights

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June 2009

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Available at: http://works.bepress.com/saumyauma/18
INTERNATIONAL TREATIES ON HUMAN RIGHTS

– Saumya Uma

A study of human rights in India would be incomplete without an understanding of international human rights standards, which share a dynamic relationship with domestic laws and standards. The standards are contained in international human rights documents. It is imperative to understand international human rights standards as they have often provided an inspiration and a foundation for Indian laws and judgments pertaining to human rights. This chapter attempts to demystify and simplify international human rights documents and concepts, and provide an overview of India’s engagement with international human rights treaties.

I. WHAT IS AN INTERNATIONAL TREATY ON HUMAN RIGHTS?

An international treaty on human rights is a legal instrument concluded between states, providing standards of conduct for governments to fulfil, and spelling out the states’ mandate for protecting human rights. It is called by various names, including covenant, pact and convention. A majority of international treaties on human rights emerge from many months and years of negotiations under the auspices of the United Nations. A treaty is binding in nature among those states that consent to being bound by the same. A treaty is different from a Declaration which suggests certain standards; a Declaration is non-binding and non-mandatory in nature. However, some Declarations, such as the Universal Declaration of Human Rights (UDHR), 1948, have achieved universal acceptance over the past six decades; its contents have been incorporated into the national constitutions of numerous states. Hence the UDHR enjoys a special status – despite being a mere declaration, it has acquired the force of law as it has become a part of customary international law – the customary law of nations.

Human rights treaties usually contain

- A definition of human rights concepts and terms;
- Standards of conduct to be fulfilled by the states; and
- Mechanisms for monitoring / implementing the standards of conduct.

Traditionally international treaties on human rights focused only on regulating the behaviour of states, to ensure that they did not violate the human rights of the people living in those countries. Increasingly, international treaties also seek to address the
issue of discrimination and violation of human rights by non-state actors, including individuals, private institutions and organizations, and multi-national corporations. In many such situations, states have a responsibility to respect, fulfil and protect its people from human rights violations by private individuals, groups and entities. For example, the Convention on Elimination of Discrimination Against Women (CEDAW) holds the concerned state accountable for violations committed by private individuals in the public and private spheres. Therefore, states are required, not only to ensure that their officials do not violate human rights, but also to undertake means that enable, regulate, protect and redress violations by private actors.

The standards of conduct stated in international treaties on human rights are only a minimum standard; individual states, through their domestic law, may have a higher standard of conduct, which would result in a higher level of human rights protection to the people concerned. This would necessarily need the political will of the state concerned, and could come about due to persuasion by an active civil society in that state.

II. HOW DOES A HUMAN RIGHTS STANDARD BECOME A LAW?

At the roots of almost every international treaty on human rights lie years of human rights violations and injustice at the ground level. Such violations and injustice often result in local, regional and national action. These include formulation of laws and policies, initiation of preventive measures and establishment of mechanisms for redress. When such violations take place on a large scale, and / or in many countries of the world, the international community begins to take note of and act on the same. Depending on a consensus between and political will among the various states, the violation would be addressed. Quite often, this is done through the creation of a non-enforceable recommendation / declaration, which provides for and prescribes international standards of conduct that are not mandatory. After some years, based on growing support and adherence to such an international standard of conduct, a convention maybe drafted and adopted by the UN. Drafting of most international treaties is carried out by the UN and its specialized agencies, including through special conferences. The human rights standard becomes a convention after discussions and negotiations among the representatives of states on various drafts and proposals. Once the contents of a treaty are agreed upon by the states, it is then presented to all members of the UN for a formal adoption of the treaty.

III. A CLARIFICATION OF KEY CONCEPTS

- Entry into force – Similar to domestic law, international treaties do not become operative as soon as they are concluded. Most treaties have a stipulation as to when they come into force. For example, the Rome Statute of the International Criminal Court states that the treaty will come into force on the first day of the month after the 60th ratification1 while the Child Rights Convention states that the treaty will come into force on the thirtieth day

1 Article 126(1) of the Rome Statute of the International Criminal Court, 1998. In accordance with the provision, the Treaty came into force on 1 April 2002.
after the twentieth ratification.  

- **Signature** – The signing of a treaty is an indication of the country concerned that it agrees to the contents of the treaty in principle and intends to abide by the same. Signing a treaty is often, though not always, the first step towards ratification (explained below). However, signing the treaty does not make the provisions binding on the country concerned. Treaties are signed by the duly accredited representative of the country concerned. Please refer to Table 7.4 below on treaties that India has signed.

- **Ratification** – Ratifying an international treaty creates a legal obligation on the country concerned to respect and implement the provisions of the treaty. For this reason, countries sometimes prefer to sign a treaty, modify their domestic laws in accordance with the provisions of the treaty and ratify the treaty subsequently. After ratification, if the country violates the provisions of the treaty, it could be made accountable for such violations through the mechanism set up in the treaty. Please refer to Table 7.4 below on treaties that India has ratified.

- **Accession** – A country is said to have “acceded” to a treaty if it ratifies the treaty after it has come into force. Before a treaty comes into force, ratification has to be preceded by signing of the treaty. However, after it comes into force, it can be directly acceded to without signing the treaty. The legal obligations arising from ratification and accession of a treaty are the same. Please refer to Table 7.4 below on treaties that India has acceded to.

- **Reservation** – Sometimes, a country concerned may not wish to be bound by all the provisions of a treaty. It may either be principally opposed to a few provisions in a treaty or it may feel that it would need more time in making the necessary modifications in domestic law or overcoming other obstacles to fully implement all provisions of the treaty. Under such circumstances, in order to encourage countries to become parties of the treaty, a ‘reservation’ may be made, by which, the state modifies its obligations under the treaty. Reservations can only be made at the time when a country becomes a party to / ratifies the treaty. Reservations are always given in writing. Although countries are allowed to make reservations, a reservation that contradicts with the object and purpose of the treaty will not be permitted. This has been clarified by the Human Rights Committee (established under the International Covenant on Civil and Political Rights (ICCPR), 1966) as well as in the provisions of some international treaties on human rights. The Human Rights Committee has given the following examples of reservations that would be incompatible with the object and purpose of treaties on human rights.

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3 See for example, Article 51 of the Convention on the Rights of the Child, which states that ‘a reservation which is incompatible with the object and purpose of the present Convention shall not be permitted.’ Article 20(2) of the International Convention on Elimination of All Forms of Racial Discrimination (CERD) states: “A reservation incompatible with the object and purpose of this Convention shall not be permitted; nor shall a reservation the effect of which would inhibit the operation of any of the bodies established by this Convention be allowed...”
of the Covenant: reservations by a state indicating that it intended to provide no remedies for human rights violations, and that it would not be bound to present a report and have it considered by the Committee.4 Please refer to Table 7.5 below for details of reservations made by India on human rights treaties that it has ratified.

- **Withdrawal of reservation** - A reservation made by a country concerned may be withdrawn subsequently, due to a change in circumstances including the country’s positive effort in overcoming the difficulties faced in implementing the provisions of the treaty. A provision and procedure for withdrawal of reservation is prescribed in the treaties. For example, CERD prescribes for withdrawal of reservations “at any time by notification to this effect addressed to the Secretary-General.”5 Withdrawal of a reservation is also to be given in writing. An example is a withdrawal of reservations to CEDAW by Morocco in December 2008.6

- **Declaration** – A declaration states the meaning / interpretation given to a particular provision of the treaty by the country concerned. It outlines what and how the country understands its legal responsibility under the treaty. Unlike a reservation, a declaration does not seek to modify the country’s legal obligations under the treaty, but merely clarifies the country’s position. Please refer to Table 7.5 below for details of declarations made by India on human rights treaties that it has ratified.

- **Withdrawal from a Convention** – Ratifying a convention is a well-thought out decision by each country. In rare occasions, when a country concerned decides that it does not agree with the overall intent of convention, or due to a change of circumstances, by issuing a notice to the United Nations, it may withdraw from a convention. In some treaties such as the International Covenant on Civil and Political Rights (ICCPR), there is no express provision for withdrawal, while in other treaties, such a provision exists.7 As an example, the Democratic People’s Republic of Korea (DPRK) tendered its withdrawal from the ICCPR in 1997.8

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4 General Comment No. 24 (52), CCPR/C/21 Rev. 1/Add.6
5 Article 20(3) of International Convention on the Elimination of All Forms of Racial Discrimination, 1965
6 Morocco had ratified the treaty in 1993, with reservations, refusing to enforce any clauses opposing national or Islamic law. On announcing the withdrawal from the reservations, King Mohammed VI of Morocco said that the reservations had become obsolete due to the “advanced legislation” adopted by the country. For more details, please see http://www.wluml.org/english/newsfulltxt.shtml?cmd%5B157%5D=x-157-563308. (accessed on 29 December 2008)
7 Convention Against Torture, Child Rights Convention and Convention for Elimination of All Forms of Racial Discrimination are examples of treaties containing a provision for withdrawal. In the absence of an express provision for withdrawal, the matter has to be considered in the light of Art. 56 of the Vienna Convention on the Law of Treaties, 1969.
8 The withdrawal was preceded by a resolution passed by the U.N. Sub-Commission on Prevention of Discrimination and Protection of Minorities on 21 August 1997, calling upon DPRK to respect its obligations under the ICCPR. Jurists opine that DPRK’s withdrawal has no legal recognition, as ICCPR has no express provisions for withdrawal and requirements stated in Art. 56 of the Vienna Convention have not been fulfilled. For further details, please see article of Elizabeth Evatt in Australian Journal of Human Rights, 1999, available at http://www.austlii.edu.au/au/journals/AJHR/1999/8.html. (accessed on 29 December 2008)
- **Optional Protocol** – is a further agreement supplementing the main treaty on specific concerns. It creates newer responsibilities on the countries concerned, or newer standards in accordance with the international community’s changing perspective on human rights. For example, the Optional Protocol to the Convention Against Torture (CAT) provides for establishing a system of regular visits to places of detention carried out by independent international and national bodies, while the two Optional Protocols to ICCPR concern themselves with facilitating individuals to directly complain to the committee established under the treaty, and abolition of the death penalty respectively. The Optional Protocol does not replace the treaty but is to be read along with it. It is usually required to be ratified separately by parties that have already ratified / acceded to the main treaty. For a list of Optional Protocols concluded and in force, please refer to Table 7.3 below.

- **Treaty Bodies** – are monitoring mechanisms created under various treaties on human rights to ensure that countries follow their obligations under the treaties. For more details, please see below - IV: How Are International Conventions Enforced?

- **Periodic reports** – are reports submitted by each country to the treaty body established under the treaties that they have ratified. All ratifying countries are under a legal obligation to submit periodic reports, stating in detail their compliance with the treaty provisions. These include legislative, judicial, administrative and other measures undertaken domestically, services provided, budget allocated and statistics and other data that would indicate such compliance. Each treaty has provisions with regard to submission of periodic reports. For example, ICCPR prescribes all states who have ratified the treaty to submit a report within one year of the treaty’s entry into force and thereafter, as and when the Human Rights Committee so requests. Please refer to Table 7.5 below for details of periodic reports submitted by India on human rights treaties that it has ratified. The table indicates that as on 1 December 2008, India’s periodic reports under ICCPR, CEDAW and CRC have not been submitted or or before the due date of submission to the respective committees.

- **Shadow reports** – are reports prepared by members of civil society including human rights activists and non-profit organizations working on human rights issues. These are submitted to the treaty bodies to state the ground realities with regard to the extent to a country’s fulfillment of its treaty obligations. The shadow reports serve the purpose of highlighting issues that require further effort from the concerned government, areas where the country has failed to fulfill its obligations, and violations of obligations under the relevant treaty by state agencies / officials. The shadow reports enable the treaty

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9 Optional Protocol to the U.N. Convention Against Torture (OPCAT) was adopted by the General Assembly on 18 December 2002.


11 Article 40 (1) of the International Covenant on Civil and Political Rights, 1966
bodies to objectively evaluate and monitor state obligations, as they help verify the claims and statements made by government representatives.

- **General Comments / Recommendations** – provide the treaty bodies’ interpretations of the contents of specific articles. The General Comments / Recommendations clarify ambiguities that may exist in the treaty that could hinder the implementation of specific articles of a treaty. They play a significant role by providing authoritative interpretations to various provisions in the treaties. For example, while CEDAW does not expressly mention violence against women, the Committee for Elimination of Discrimination Against Women clarified, through a General Recommendation, that gender-based violence is a form of gender discrimination as it is violence which is “directed against a woman because she is a woman”\(^\text{12}\).

- **Concluding Comments / Observations** – is a document consisting of comments and observations made by the treaty bodies with regard to country-specific fulfilment of treaty obligations. The document is prepared after the treaty body has received and read the periodic and shadow reports, and heard oral representations with regard to a country’s fulfillment of treaty obligations. The Concluding Comments act as a directive to the concerned government in highlighting areas for further action. For example, the Committee on Rights of the Child (established through the Convention on Rights of the Child), in its Concluding Comments to India, strongly recommended that India prohibit corporal punishment in the family, schools and other institutions\(^\text{13}\). The comments are often used as an advocacy tool by human rights organizations in persuading their governments to fulfill their legal obligations and responsibilities within the country.

- **State Parties** – are countries that have ratified a treaty.

**IV. HOW ARE INTERNATIONAL CONVENTIONS ENFORCED?**

The effectiveness of any law / legal system depends on its powers to ‘enforce’ the laws and norms that originate from it. The law related to international human rights is no different. However, the manner in which international human rights treaties are enforced is different from the manner in which domestic laws are enforced. For international treaties, countries come together and agree to abide by norms / standards of conduct / rights and responsibilities that they arrive at by consensus. There is no international police force to monitor countries’ compliances with the obligations they have accepted under various human rights treaties. Except the International Criminal Court, which deals with very specific crimes, and the International Court of Justice (ICJ) which deals only with disputes between states, there is no other international


\(^{13}\) Concluding Comments of the Committee on the Rights of the Child: India, 35th session, CRC/C/15/Add. 228, dated 26 February 2004, para 45
court where individuals may prosecute perpetrators for violations of human rights. The issue of ‘international enforcement’ is controversial and highly resisted by many states. While the United Nations has been successful in setting standards on many human rights issues, its creation of mechanisms, institutions and procedures to ensure effective enforcement is an ongoing effort, as it largely depends on the consent / will of states.

Treaty bodies form an important enforcement mechanism. Treaty bodies may enforce treaty provisions through three ways: a) individual communications; b) state to state complaints; and c) inquiries. They are empowered by their respective treaties to receive periodic reports from the countries that are parties to the treaty, and also from members of civil society, in order to assess the efforts taken by the country concerned in respecting and fulfilling its obligations under the concerned treaty. Treaty Bodies give “teeth” to each human rights treaty. Please refer to Table 7.1 below for details of treaty bodies set up under various human rights treaties.

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<thead>
<tr>
<th>Table 7.1: Treaty Bodies Established under Major International Treaties on Human Rights</th>
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<tr>
<td><strong>Name of the Treaty</strong></td>
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<td>------------------------</td>
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<tr>
<td>1. International Covenant on Civil and Political Rights (ICCPR)</td>
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<tr>
<td>2. International Covenant on Social, Economic and Cultural Rights (ICESCR)</td>
</tr>
<tr>
<td>6. Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)</td>
</tr>
<tr>
<td>7. International Convention on Protection of Rights of All Migrant Workers and Members of their Families (MWC)</td>
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</tbody>
</table>
Each treaty body consists of several members who are usually elected from countries that have ratified the concerned treaty. They meet periodically to receive and study the periodic reports and shadow reports (explained above under III.), to hear oral presentations and make their observations with regard to each country’s fulfilment of its obligations under the treaty. They then give ‘Concluding Comments’ to each country, giving their specific findings with regard to the country’s compliance with legal obligations under the treaty, and highlight issues on which the government needs to focus its efforts. In situations where the treaty body observes that a state’s performance is less than satisfactory, such an observation can cause embarrassment to the government in the international community, and could provide impetus for the country to improve its human rights standing in the international community. The principal objective of treaty bodies is to develop a constructive dialogue with reporting states, and thereby promote the states’ compliance with the provisions of the concerned treaties, and fulfilment of state obligations under the same. Persuasion through political and diplomatic channels is also relied upon, as no country wishes to be known internationally as a human rights violator. Please refer to Chart 7.1 below for the reporting cycle under the human rights treaties.

Chart 7.1: Reporting Cycle Under the Human Rights Treaties

Source: http://www2.ohchr.org/english/bodies/docs/ReportingCycle.gif
As per the provisions of certain treaties / Optional Protocols, individuals may also approach the treaty bodies directly for violation of their rights. However, the Indian government is principally opposed to allowing individuals direct access to the treaty bodies, and has not ratified the concerned legal instruments that would facilitate such a process.

There are other ways in which international human rights standards are enforced. The UN Charter uses the term ‘enforcement’ in relation to the powers of the Security Council to use force, including issuance of economic, military and other sanctions on countries in contexts of threat to peace, breach of peace and acts of aggression. Charter-based organs whose creation is directly mandated by the UN Charter or authorized by one of the organs also contribute to enforcement of international human rights standards. These include the General Assembly, the Economic and Social Council (ECOSOC) and the Human Rights Council. Other human rights mechanisms of the U.N. also contribute to enforcement of human rights, including Working Groups, Special Rapporteurs and Special Representatives on specific issues. Such bodies can visit the country in order to monitor the human rights situation and make a report and recommendations on the same, only if the country concerned permits them to do so. Please see Table 7.6 for a list of outstanding requests to India from international human rights bodies for visiting India, for which the India’s permission is pending.

On 18 June 2007, one year after its first meeting, and in compliance with General Assembly resolution 60/251, the Human Rights Council of the United Nations established a new mechanism, called the Universal Periodic Review (UPR). Through this mechanism, the Council decided to review on a periodic basis the fulfilment of the human rights obligations of all countries, ensuring that they are treated equally and are subject to a review of their human rights record. The review is carried out by a working group composed of members of the Council that will meet three times per year for two weeks and is facilitated by groups of three States members of the Council which will act as Rapporteurs (or “troikas”) appointed by the Council. This new innovative mechanism provides scope for an interactive dialogue between countries, where they question each other’s human rights records, and for each country to be accountable to other countries for its performance in protecting, promoting and implementing human rights. Human rights organizations have a special role to play in this process by drafting complaints (similar to ‘shadow reports’) highlighting issues on which the respective governments have not complied with their human rights obligations under international law.

India’s review took place on 10 April 2008. During this review, a number of countries made observations and expressed concerns on a range of issues. These include recommending an early ratification of the Convention Against Torture, raising concerns

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14 Optional Protocol to CEDAW, CERD, CAT, ICCPR and Convention on the Rights of Persons with Disabilities (CRPD) provide for the treaty bodies to consider complaints / communications from individuals including victims / survivors of the violations.
15 Stated in detail in Articles 39 – 51, Chapter VII of the UN Charter
16 Such mechanisms include the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities, the Commission on the Status of Women, the UN High Commissioner for Human Rights, Working Groups and Special Rapporteurs on specific issues.
over caste-based discrimination, misuse of Armed Forces (Special Powers) Act, communal violence, child labour, harmful traditional practices, government and police corruption and concerns related to the criminalization of homosexual conduct in Indian legislation.17

V. AN OVERVIEW OF INTERNATIONAL TREATIES ON HUMAN RIGHTS

International human rights documents can be broadly classified as a) declarations; and b) conventions / treaties. As mentioned in Part I above, legal obligations created under Declarations are not binding on state parties, with the exception of the Universal Declaration of Human Rights. Similarly, Principles and Standards have been formulated on various issues through international consensus. These function as guidelines and safeguards, and are also not binding in nature. However, these are often useful standards to incorporate into domestic law. Please refer to Table 7.3 below for a list of Declarations and Principles / Standards on human rights.

A legal instrument may be global – where any country in the world can become a party to it - or regional in nature, which allows countries only in a particular region to become a party to it. The instrument could concern itself with human rights in general or focus on a specific human right. Arising from the need to accord special protection of groups that are vulnerable to human rights violations, treaties may concern themselves with the human rights of particular groups of people. For details of human rights instruments that are general, regional, issue-based and those dealing with specific groups of people, please refer to Table 7.2 below. Optional Protocols supplement the main treaties on human rights. For a list of Optional Protocols, please refer to Table 7.3 below.

International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Social, Economic and Cultural Rights (ICESCR) are together called the Bill of Rights. They derive their foundation from the Universal Declaration on Human Rights (UDHR), and encompass a large gamut of human rights. Apart from the UDHR and the Bill of Rights, the other treaties frequently referred to include

- Convention on the Elimination of Discrimination Against Women (CEDAW), 1979;
- Convention on the Rights of the Child (CRC), 1989;
- Convention on the Elimination of All Forms of Racial Discrimination (CERD), 1965; And
- Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), 1984

VI. LIMITATIONS ON HUMAN RIGHTS

Derogable & Non-Derogable Rights

Contrary to a popular belief that all human rights are absolute and non-derogable (cannot be violated under any circumstances whatsoever), it is an established principle that under exceptional circumstances, including during times of national emergency, a country can


International Treaties on Human Rights
legitimately suspend certain human rights. This principle is recognized in the ICCPR,\textsuperscript{18} and has been elaborated upon by the Human Rights Committee and the European Court of Human Rights. Siracusa Principles relating to the Proclamation of Emergency and the Derogation of Rights have been formulated to provide further guidelines. However, even during times of emergency, not all human rights can be suspended / restricted / denied to the people. Certain human rights are considered non-derogable. These include

- the right to life;
- the prohibition against torture or cruel, inhuman or degrading treatment or punishment;
- prohibition against slavery and servitude;
- prohibition against imprisonment merely on the ground of inability to fulfill a contractual obligation (imprisonment for debt);
- prohibition against enacting penal laws with retroactive effect;
- the right to recognition as a person before the law; and
- the right to freedom of thought, conscience and religion.\textsuperscript{19}

Other Limitations / Restrictions on Human Rights

Enjoyment of human rights may also be restricted through general limitation clauses, or through a limitation on specific rights. The following limitation clauses are found in ICCPR and ICESCR:

- restrictions ‘prescribed by law’ (authorized by domestic law; but such a law should be compatible with international human rights law);\textsuperscript{20}
- ‘in a democratic society’ (restrictions that are necessary for a democratic society but do not undermine democracy itself);\textsuperscript{21}
- Restrictions to protect ‘national security’;\textsuperscript{22}
- Restrictions to protect ‘public order’\textsuperscript{23} & ‘public safety’;\textsuperscript{24}
- Restrictions to protect ‘public health’ or ‘morals’;\textsuperscript{25} and
- Restrictions to protect the ‘rights and freedoms of others’\textsuperscript{26}.

\textsuperscript{18} Article 4 of the International Covenant on Civil and Political Rights states: ‘In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the State Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.’


\textsuperscript{20} Arts. 12, 18, 19, 21 and 22 of ICCPR; Art. 8 of ICESCR.

\textsuperscript{21} Arts. 14, 21 and 22 of ICCPR; Art. 8 of ICESCR.

\textsuperscript{22} Arts. 12, 14, 19, 21 and 22 of ICCPR; Art. 8 of ICESCR

\textsuperscript{23} Art. 12, 14, 18, 19, 21 & 22 of ICCPR; Art. 8 of ICESCR

\textsuperscript{24} Art. 18, 21 & 22 of ICCPR

\textsuperscript{25} Art. 12, 14, 18, 19, 21 & 22 of ICCPR

\textsuperscript{26} Art. 12, 18, 19, 21 & 22 of ICCPR
VII. DUTIES & RESPONSIBILITIES

If there are rights, there are bound to be corresponding duties and responsibilities. The treaties on human rights deal largely with rights of individuals, and corresponding duties and responsibilities of the governments concerned. This is based on the philosophy that states are superior in power, and that conversely, individuals are vulnerable to violation of their rights. However, the treaties also have provisions stating duties and responsibilities of individuals to other individuals as well as to the community they belong to. The preamble to both ICCPR and ICESCR refer to duties of individuals. However, it is important to keep in mind the fact that there is a very clear and imminent danger that the notion of duties and responsibilities to the community maybe used as a pretext by governments to violate / undermine / restrict human rights of individuals.

VIII. THE RELEVANCE OF INTERNATIONAL TREATIES FOR HUMAN RIGHTS IN INDIA

A very direct relationship exists between international treaties on human rights and their application within the domestic sphere in a country. In common law countries such as India, an international treaty, even after ratification, cannot automatically be implemented within the country; application takes place by enacting a domestic law, known as the ‘implementing legislation’. Article 253 of the Indian Constitution empowers the union government to legislate with respect to India’s treaty obligations. The Constitution also directs the state to foster respect for international law and treaty obligations.

Inter-linkages between international treaties and domestic human rights situation become significant for the following reasons:

- International treaties influence domestic jurisprudence by providing referral points for courts in interpreting human rights of individuals and in ascertaining state responsibility; for more details, see below under ‘Judicial Application of International Human Rights Standards.’

- They can be used as benchmarks to critique and measure domestic laws and legislative amendments. An example is critiquing the anti-terror law passed in the Indian Parliament in December 2008 in the wake of terror attacks in Mumbai in the previous month.

27 The preamble to ICCPR & ICESCR states as follows: “Realizing that the individual, having duties to other individuals and to the community to which he belongs to, is under a responsibility to strive for the promotion and observance of the rights recognized in the present Covenant.”

28 Art. 51 of the Indian Constitution states: “Promotion of international peace and security.—The State shall endeavour to —
(a) promote international peace and security;
(b) maintain just and honorable relations between nations;
(c) foster respect for international law and treaty obligations in the dealings of organized peoples with one another; and
(d) encourage settlement of international disputes by arbitration.

29 The amendments to Unlawful Activities (Prevention) Act (UAPA) 1967 have been criticized by Amnesty International on the ground that they would violate international human rights treaties. For details, see www.amnesty.org/en/for-media/press-releases/india-new-anti-terror-laws-would-violate-international-human-rights-stand (accessed on 28 December 2008)
Act 1958 has also been critiqued consistently for violation of India’s obligations under international treaties.\textsuperscript{30}

They have the potential to be used as \textbf{standard-setting mechanisms for domestic law reform initiatives}. An example of this is the Law Commission of India’s consultative paper on witness protection, where it refers to witness protection under international law.\textsuperscript{31} The campaign on Communal Violence Bill has also used international standards, concepts and principles.\textsuperscript{32}

They provide \textbf{a framework for making the state accountable} and liable for violating international obligations related to human rights.

They provide \textbf{additional forums} (at the international and national level) to discuss human rights issues.

They provide \textbf{a mechanism to monitor compliance} – through the periodic reporting system under various treaties and international human rights bodies. An example of this is the initiative taken by the People’s Forum for Universal Periodic Review of India, which submitted a stakeholders’ report to the Office of the High Commissioner on Human Rights (OHCHR) in November 2007 on the human rights situation on the ground, and the state obligations.\textsuperscript{33}

They \textbf{inspire domestic campaigns for signing / ratifying / acceding to international treaties on human rights}, and for withdrawal of reservations made in such treaties, if any. Some examples are ICC-India: the Indian campaign on International Criminal Court\textsuperscript{34} and the campaign for ratification of the Convention Against Torture.\textsuperscript{35}

\textbf{Judicial Application of International Human Rights Standards:}

The Indian judiciary has referred to the Universal Declaration of Human Rights and international conventions ratified by India in many of its judgments.\textsuperscript{36} Such references have been made in the context of statutory interpretations, in upholding human rights of individuals and prescribing state responsibilities pertaining to the same. The judiciary has also referred to international principles and standards on human rights,  


\textsuperscript{32} For details, see http://www.wragindia.org/campa_participated_1.html (accessed on 28 December 2008)

\textsuperscript{33} The stakeholders’ report can be accessed at http://www.achrweb.org/UN/HRC/UPR-India.pdf (accessed on 28 December 2008).

\textsuperscript{34} Details about the campaign are available at http://www.wragindia.org/campa_icc.htm (accessed on 28 December 2008)

\textsuperscript{35} Details about the campaign are available at http://www.pwtn.org/preventing_torture.asp (accessed on 29 December 2008)

such as the Standard Minimum Rules for Treatment of Prisoners as recommended by the United Nations, such as the Standard Minimum Rules for Treatment of Prisoners as recommended by the United Nations, as well as finding UN Declarations related to human rights relevant while pronouncing judgments. In other judgments, courts have not only referred to international human rights treaties but also indicated the binding nature of their obligations. Courts have granted relief to petitioners for wrongful action by employers which contravened international conventions that India is a party to.

International conventions and norms have also been read into fundamental rights guaranteed under the Indian Constitution in the absence of domestic law, and where there is no inconsistency between international law and the Indian legal framework. A number of landmark judgments on women’s rights have successfully referred to and used provisions of the CEDAW. Indian judgments have also critiqued reservations and declarations made by the government of India under treaties. In referring to the reservation made by India under ICCPR that India does not recognize a right to compensation for victims of unlawful arrest and detention, the Supreme Court held that the reservation had lost its relevance in view of the Supreme Court awarding compensation in a number of such cases.

CONCLUSION

There are many who are critical about the use of international human rights standards and mechanisms. Critics’ opinions are shaped by the following, among other, arguments:

- adverse impact of international human rights mechanisms on the autonomy of the human rights movements;
- concern about international campaigns and processes being donor-driven;
- concern that ‘internationalizing’ a human rights issue would reduce focus on the local cultural / political context in which the issue operates;
- doubt about whether voices from the grassroots would really be heard or allowed to be heard within the UN structures;
- skepticism that response of the international community to grave human rights violations may be too little and too late;

37 Sunil Batra’s case, ibid at 1603
38 Ibid
39 Sheela Barse vs. Secretary, Children’s Aid Society AIR 1987 SC 656 at 658
40 In MacKinnon Mackenzie and Co. Ltd. vs. Audrey D’Costa (1987) 2 SCC 469, the court found that the principle of equal remuneration for men and women for work of equal value, embodied in an international convention that India was a party to, had been violated.
41 Vishaka vs. State of Rajasthan AIR 1997 SC 3011 at 3015
43 D.K.Basu vs. State of West Bengal (1997) 1 SCC 416 at 438
poor accessibility to international mechanisms for redress;

- lack of know-how in persuading and mobilizing opinion among international institutions with regard to human rights violations in a particular country;
- a fear that perspectives from the Global South may get exoticized;
- a doubt about the need to approach the international mechanisms in the context of limitations within the UN system, including the highly political role of Security Council;
- a critique of international treaties and mechanisms, that they lack an inter-sectional understanding of an issue as the system that is more or less compartmentalized on the basis of issues;
- an apprehension about geo-political dynamics within which human rights conventions and mechanisms operate – that they are Western-dominated, thereby lending themselves to possible targeting of developing and smaller, weaker countries;
- dependence on states to ratify human rights treaties and implement them domestically, in order to make them accountable under the same; and
- an opinion that the international legal order within which human rights operate is narrow & constricting.

While such criticisms are not without substance, it is pertinent to note that international treaties on human rights constitute an important advocacy tool for the protection and promotion of human rights in the domestic sphere. An effective use of international treaties, standards and mechanisms can contribute to state accountability for human rights. Needless to say, international treaties and standards would complement domestic laws and standards in ensuring accountability for violation / protection / promotion of human rights. The contemporary human rights movements in India have engaged themselves with mechanisms, institutions and standards at the international level. Some instances include efforts to ensure accountability for human rights violations in Punjab (in the 1980s), North eastern states, Kashmir, and the campaign for repeal of the Armed Forces (Special Powers) Act.

Indian representatives (both governmental and non-governmental) have actively participated in international conferences on human rights. For example, they participated in big numbers in the U.N. World Conference on Women - held in Beijing in 1995 and the U.N. World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance (known as WCAR) – held in Durban in 2001. There is a growing realization of the importance of participation in international forums on human rights, as these provide

- opportunities for ensuring state accountability, with the support of government representatives, like-minded groups and individuals from other countries;
- avenues for the international community to recognize / address / redress local and regional level human rights issues using the international human rights framework;
• ways to influence formulation of norms, standards, principles, guidelines, strategies and plans of action, which subsequently contribute to standard-setting through international treaties; and

• opportunities for shared information, experiences, resources and strategies among like-minded groups working on human rights.

Evolving international standards on human rights can also motivate and spur domestic law reform initiatives, in order that the domestic legal system / framework may be strengthened in addressing human rights issues. A symbiotic relationship exists between domestic and international human rights law, in expansion / introduction of legal definitions, concepts, procedures and standards. For example, the Rome Statute creating the International Criminal Court derived much of its provisions from domestic systems of common and civil law. The Statute’s provisions, in turn, now motivate domestic law reform on varied issues pertaining to mass crimes, ranging from definition of crimes and standard of evidence to victim / witness protection and sentencing.

Members of the Indian civil society also acknowledge the importance of engaging with international mechanisms, including treaty-based bodies, to ensure state accountability for human rights violations. This is to persuade the government to fulfil the commitments it makes in the international sphere. Preparation and presentation of shadow reports, sending complaints and communications to various human rights bodies, interactions with U.N. Special Rapporteurs and Working Groups, and participation in the process of Universal Periodic Review and the Asia Pacific Forum of National Human Rights Institutions are some examples of active engagement of members of Indian civil society with international bodies.

Just as domestic laws and the domestic legal system are not perfect but evolve over time, international treaties and mechanisms also continuously evolve. Efforts are being made to improve the functioning of the UN and its human rights mechanisms, in response to the criticisms advanced. A pragmatic approach for the countries as well as the civil society, is to engage with the system and use international standards and mechanisms to strengthen local laws, mechanisms, initiatives and campaigns. At the same time, it is equally important to be aware of the limitations of international human rights standards and mechanisms, in order that our expectations are realistic, and so that we are able to participate in processes for improving such standards and mechanisms.

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44 For more details, see attempts for strengthening and democratizing the UN including through ‘Reform the UN’ – a project of the World Federalist Movement– Institute of Global Policy, available at http://www.reformtheun.org (accessed on 24 January 2009)
<table>
<thead>
<tr>
<th>Conventions (General)</th>
<th>Conventions (Regional)</th>
<th>Conventions (Group-based)</th>
<th>Conventions (Issue-based)</th>
</tr>
</thead>
<tbody>
<tr>
<td>International Covenant on Economic, Social, and Cultural Rights (ICESCR), 1966</td>
<td>Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979</td>
<td>Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (MWC), 1990</td>
<td>Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), 1984</td>
</tr>
</tbody>
</table>
### Table 7.3: Overview of International Human Rights Instruments II:

**Major Declarations, Optional Protocols and Principles**

<table>
<thead>
<tr>
<th>Declarations</th>
<th>Optional / Additional Protocols</th>
<th>Principles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Universal Declaration on the Eradication of Hunger and Malnutrition, 1974</td>
<td>Second Additional Protocol to Geneva Conventions, 1977 (protection of victims in non-international armed conflict)</td>
<td>Principles of Medical Ethics relevant to the Role of Health Personnel, particularly Physicians, in the Protection of Prisoners and Detainees against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1982</td>
</tr>
<tr>
<td>Declaration on the Elimination of Violence Against Women, 1993</td>
<td>Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), 2002</td>
<td>Basic Principles for the Treatment of Prisoners, 1990</td>
</tr>
<tr>
<td>Declarations</td>
<td>Optional / Additional Protocols</td>
<td>Principles</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------------</td>
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<tr>
<td></td>
<td></td>
<td>Basic Principles on the Role of Lawyers, 1990</td>
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<td></td>
<td></td>
<td>United Nations Principles for Older Persons, 1991</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 2000</td>
</tr>
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<td></td>
<td></td>
<td>Basic Principles and Guidelines on the Right to a Remedy and Reparation, 2005</td>
</tr>
</tbody>
</table>
Table 7.4: OVERVIEW OF INDIA’S ENGAGEMENT WITH MAJOR HUMAN RIGHTS TREATIES (as of 1 Dec 2008)

<table>
<thead>
<tr>
<th>Name of Convention</th>
<th>Treaty’s Entry into force</th>
<th>Signature</th>
<th>Ratification / Accession (a)</th>
<th>Reservations*</th>
<th>Declarations*</th>
<th>Due Date of Report to Treaty Body</th>
<th>Date of Submission of Report</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geneva Conventions I, II, III &amp; IV, 1949</td>
<td>21 Oct 1950</td>
<td>16 Dec 1949</td>
<td>9 Nov 1950</td>
<td>x</td>
<td>x</td>
<td>No provision for submission of periodic reports under the Treaty</td>
<td>No provision for submission of periodic reports under the Treaty</td>
</tr>
<tr>
<td>Additional Protocol to Geneva Convention, 1977 (protection of victims of international conflict)</td>
<td>7 Dec 1978</td>
<td>x</td>
<td>Not ratified</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
</tr>
<tr>
<td>Second Additional Protocol to Geneva Conventions, 1977 (protection of victims in non-international armed conflict)</td>
<td>7 Dec 1978</td>
<td>x</td>
<td>Not ratified</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
</tr>
<tr>
<td>Name of Convention</td>
<td>Treaty's Entry in force</td>
<td>Signature</td>
<td>Ratification / Accession (a)</td>
<td>Reservations*</td>
<td>Declarations*</td>
<td>Due Date of Report to Treaty Body</td>
<td>Date of Submission of Report</td>
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<tr>
<td><strong>First Optional Protocol to the ICCPR (CCPR-OP1), 1966 (on individual communications)</strong></td>
<td>23 March 1976</td>
<td>x</td>
<td>Not ratified</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
</tr>
<tr>
<td><strong>Second Optional Protocol to the ICCPR (aiming at the abolition of the death penalty) (CCPR-OP2), 1989</strong></td>
<td>11 July 1991</td>
<td>x</td>
<td>Not ratified</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
</tr>
<tr>
<td><strong>International Convention on the Suppression and Punishment of the Crime of Apartheid (ICSPCA), 1973</strong></td>
<td>18 July 1976</td>
<td>x</td>
<td>22 Sep 1977 (a)</td>
<td>x</td>
<td>On date of accession</td>
<td>No provision for submission of periodic reports under the Treaty</td>
<td>No provision for submission of periodic reports under the Treaty</td>
</tr>
<tr>
<td><strong>Optional Protocol to the CEDAW, 1999 (on individual communications)</strong></td>
<td>22 Dec 2000</td>
<td>x</td>
<td>Not ratified</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
</tr>
<tr>
<td>Name of Convention</td>
<td>Treaty’s Entry into force</td>
<td>Signature</td>
<td>Ratification / Accession (a)</td>
<td>Reservations*</td>
<td>Declarations*</td>
<td>Due Date of Report to Treaty Body</td>
<td>Date of Submission of Report</td>
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<tr>
<td>Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), 1984</td>
<td>26 June 1987</td>
<td>14 Oct 1997</td>
<td>Not ratified</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
</tr>
<tr>
<td>Optional Protocol to CAT (OPCAT), 2002</td>
<td>22 June 2006</td>
<td>x</td>
<td>Not ratified</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
</tr>
<tr>
<td>International Convention on Protection of Rights of All Migrant Workers and Members of their Families (MWC), 1990</td>
<td>1 July 2003</td>
<td>x</td>
<td>Not ratified</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
</tr>
<tr>
<td>Rome Statute of the International Criminal Court, 1998</td>
<td>1 July 2002</td>
<td>x</td>
<td>Not ratified</td>
<td>No provision for reservations under the Treaty</td>
<td>No provision for declarations under the Treaty</td>
<td>No provision for submission of periodic reports under the Treaty</td>
<td>No provision for submission of periodic reports under the Treaty</td>
</tr>
<tr>
<td>Name of Convention</td>
<td>Treaty’s Entry into force</td>
<td>Signature</td>
<td>Ratification / Accession (a)</td>
<td>Reservations*</td>
<td>Declarations*</td>
<td>Due Date of Report to Treaty Body</td>
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</tr>
<tr>
<td>Optional Protocol to CPD</td>
<td>3 May ’08</td>
<td>x</td>
<td>Not ratified</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
<td>N.A.</td>
</tr>
</tbody>
</table>

* For details of declarations and reservations, please refer to Table 7.5 below

Sources:
- Office of the United Nations High Commissioner for Human Rights, [http://www2.ohchr.org/EN/Countries/Pages/HumanRightsintheWorld.aspx](http://www2.ohchr.org/EN/Countries/Pages/HumanRightsintheWorld.aspx)
- [www.bayefsky.com](http://www.bayefsky.com) (accessed on 28 December 2008)
### Table 7.5: DETAILS OF RESERVATIONS & DECLARATIONS MADE BY INDIA ON MAJOR TREATIES ON HUMAN RIGHTS (as of 1 Dec 2008)

<table>
<thead>
<tr>
<th>Name of Convention</th>
<th>Reservation / Declaration</th>
<th>Objections to Reservations / Declarations by Other Countries</th>
</tr>
</thead>
<tbody>
<tr>
<td>ICCPR</td>
<td>Arts. 1(right to self-determination applies only to peoples under foreign domination); Art. 9 – no enforceable right to compensation for unlawful arrest / detention under Indian law; Art. 13 (expulsion of foreigners only after decision reached in accordance with law) – reserves right to apply its law relating to foreigners;</td>
<td>France objected to India’s reservation on Art. 1 stating that it was attaching conditions not provided for in the U.N. Charter for exercise of right to self-determination; Germany &amp; Netherlands also objected.</td>
</tr>
<tr>
<td>ICESCR</td>
<td>Arts. 1(right to self-determination applies only to peoples under foreign domination); Art. 9 – no enforceable right to compensation for unlawful arrest / detention under Indian law; Art. 13 – reserves right to apply its law relating to foreigners; Arts 4 &amp; 8 will be applied in conformity with Art. 19 of the Indian Constitution; Art. 7 (c) will be applied in conformity with Art. 16(4) of the Indian Constitution.</td>
<td>France, Germany &amp; Netherlands objected to India’s declaration on Art. 1</td>
</tr>
<tr>
<td>CEDAW</td>
<td>On Arts. 5(a) &amp; 16 (1) – shall abide in conformity with policy of non-interference in personal affairs of any community without its initiative and consent. On 16(2) – though agreement in principle, compulsory registration of marriages not practical in a vast country like India. Art. 29 (1) – on submitting dispute for arbitration, and then to ICJ. India considers itself not bound by it.</td>
<td>Netherlands objected to the declaration &amp; reservation as it found them to be incompatible with the object and purpose of the Convention.</td>
</tr>
<tr>
<td>Name of Convention</td>
<td>Reservation</td>
<td>Objections to Reservations / Declarations by Other Countries</td>
</tr>
<tr>
<td>--------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| CRC                | Economic, social & cultural rights of children can only be progressively implemented, subject to available resources  
On child labour: Children at various ages work in India for various reasons; their work is regulated in terms of hours and conditions of work. Not practical to prescribe minimum age for admission to each and every area of employment; hence progressive implementation | x                                                              |
| CRC-Optional Protocol | On Art 3(2) – about minimum age of recruitment into Armed Forces being 18 years, and voluntary nature of recruitment                                                                   | x                                                              |
| CERD               | On Art 22 – for referral of dispute to ICJ, consent of all parties required in each individual case.                                                                                                         | Pakistan objected to the declaration.                        |
| Genocide Convention | On Art. IX - for referral of dispute to ICJ, consent of all parties required in each case.                                                                                                                    | Netherlands objected to the declaration as it found it to be incompatible with the object and purpose of the Convention. |
| Apartheid Convention | That India’s accession is with effect from 17 Aug 1977                                                                                                                                                | x                                                              |
Table 7.6: Outstanding Requests for Visiting India from International Human Rights Bodies
(Indian government’s permission pending as of May 2007)

<table>
<thead>
<tr>
<th>Year of Request</th>
<th>Requested By</th>
<th>Other Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>1993</td>
<td>Special Rapporteur on Torture</td>
<td>Repeated requests for 10 years without a satisfactory response; the Rapporteur drew attention to Commission’s Resolution 2002/84 that emphasizes cooperation with the Commission through relevant thematic procedures</td>
</tr>
<tr>
<td>1993</td>
<td>Special Representative on the Situation of Human Rights Defenders</td>
<td>Special Representative mentions in the 2002 report that her request to visit India is still outstanding</td>
</tr>
<tr>
<td>1993-95</td>
<td>Special Rapporteur on Extra-judicial, Summary or Arbitrary Executions</td>
<td>Request made thrice</td>
</tr>
<tr>
<td>2000</td>
<td>Special Rapporteur on Summary Executions</td>
<td>Follow-up request made in 2005</td>
</tr>
<tr>
<td>2004</td>
<td>Special Rapporteur on Sale of Children</td>
<td></td>
</tr>
<tr>
<td>2005</td>
<td>Special Rapporteur on Toxic Waste</td>
<td></td>
</tr>
<tr>
<td>2005</td>
<td>Working Group on Arbitrary Detention</td>
<td></td>
</tr>
<tr>
<td>2006</td>
<td>Working Group on Enforced Disappearances</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Special Rapporteur on Racism</td>
<td></td>
</tr>
</tbody>
</table>

SUGGESTED ACTIVITY

1. Organize a human rights tribunal in your college. Tribunals are a compelling forum for documenting and making visible human rights violations, as well as for ensuring that the government takes effective steps to protect those rights. Here are some steps for organizing a tribunal:

- Define theme, objectives and outcomes – decide which human rights issue to focus on. The tribunal could have a single theme or multiple themes, though the former is usually more effective.

- Determine speakers and participants – who will be testifying before the tribunal, who will be listening, who will form part of the jury panel which would present opening and closing remarks.

- Develop a strategy for media outreach. This could include preparation of press invites, media kits, press reports, and possibly a press conference.

- Chalk out the procedure for the tribunal – ensure that it is inclusive, democratic and is sensitive to those testifying of human rights violations. Make effective use of human rights standards in domestic laws and international treaties.

- Plan the follow up – this would include dissemination of report of the jury panel, persuading policy makers to act upon the issues raised during the tribunal and support to testifiers against reprisals.
2. Organize a poster competition on human rights. Posters are a powerful way of disseminating information on international human rights treaties. Here are some suggested steps:

- Define theme, objective and outcomes – decide which human rights issue to focus on. Provide a concept note, which the poster should be based upon.
- Work out the logistics - determine the participants and judges; would an entrance fee be charged? Would materials be provided by the organizers?
- Chalk out the criteria for and procedures relating to the competition – for example, would the poster be done manually or through a software? Should it contain more text or more visuals? What factors would help the judges determine the winner?
- Plan the follow up - Identify a sponsor for providing a cash prize and / or for printing the winning poster. The printed posters could be displayed in various parts of the college, and could be distributed among other colleges and human rights organizations as well.

3. Prepare India’s country manual on human rights. A country manual presents an overview of an issue or issues, and highlights domestic laws and international treaties relevant to it. The manual would help evaluate India’s performance in engaging with international human rights treaties. The manual is a tool that can be used for further activities on human rights. Do remember to keep the language in the manual simple, use illustrations wherever possible, cite the sources accurately, use examples from India and South Asia liberally and use quotes / slogans / images. The manual could contain the following:

- An international and national overview of the status of human rights;
- Matching international treaties with domestic laws;
- An overview of India’s ratification and reporting status;
- A mapping of Indian campaigns associated with international human rights;
- A directory of organizations in India / state / city concerned working on the issue;
- A directory of international organizations and networks working on the issue;
- A list of relevant websites;
- Facts and figures – using international and national data to highlight the issues; and
- A list of selected readings.

BIBLIOGRAPHY

Books


Articles from the Internet
