

GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS

RAJYA SABHA

UNSTARRED QUESTION NO-1840

TO BE ANSWERED ON - 22/12/2022

UNIVERSAL PERIODIC REVIEW OF INDIA IN GENEVA

1840. SHRI M. SHANMUGAM:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether human rights issues, Citizenship Amendment Act, custodial torture, protection of minority were raised in the universal Periodic Review of India at the Human Rights Council in Geneva;

(b) if so, the stand taken by the Government, the details thereof; and

(c) the steps taken by the Government to ensure human rights defenders, journalists and civil society can exercise their rights to freedom of expression and peaceful assembly, free from intimidation and attacks, the details thereof?

ANSWER

THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS

(SHRI V. MURALEEDHARAN)

(a) Human rights issues, including Citizenship Amendment Act and protection of minorities, were raised during the fourth cycle of the Universal Periodic Review of India, held on 10 November 2022, at the Human Rights Council in Geneva.

(b) The stand taken by the Government in its report as well as during the review was that as a seventy-five-year-old Constitutional democracy, India is firmly committed to the promotion and protection of human rights. The Constitution of India guarantees civil and political rights, and provides for progressive realization of economic, social and cultural rights. The sanctity, vibrancy and resilience of the ideals envisaged by the Constitution, including justice, liberty, equality, fraternity and individual dignity have stood the test of

time. Being a vast country with diverse population, limited resources and developmental challenges, but with a vision informed by the ethos of human rights, India continues to strive for a better society for its people.

Regarding Citizenship Amendment Act, 2019, it was stated that the Act is a limited and focused legislation. It reaffirms India's commitment to the welfare of persecuted minorities in the region. It will help in reducing their statelessness and would enable beneficiaries to have a more secure and dignified life. This is similar to laws that exist elsewhere in defining specific criterion for citizenship pathways. This Act neither takes away citizenship of any Indian citizen nor amends nor abridges any existing process for acquiring Indian citizenship by any foreigner of any country belonging to any faith or religion.

Regarding protection of minorities, it was reiterated that India is a multi-lingual, multi-ethnic and multi-religious society. India not only respects but celebrates its diversity. The provisions embodied in the Constitution of India related to freedom of religion have evolved over the years through legislations and interpretation by Courts.

(c) The civil and criminal laws of our country have in-built mechanisms to safeguard the rights of the individuals and provide special protection to the most vulnerable sections of the society. The Government, attaches highest importance to the safety and security of citizens of the country including the journalists. The existing laws for protection of citizens also cover journalists. 'Police' and 'Public Order' are State subjects under the Seventh Schedule to the constitution of India and State Governments are responsible for prevention, detection, registration, investigation of crime and for prosecuting the criminals through their law enforcement agencies. The Ministry of Home Affairs had issued advisories to the States and Union Territories, from time to time, to maintain law and order and to ensure that any person who takes law into his/her own hands is punished promptly as per law. An advisory specifically safety of journalists was issued to State and Union Territories on 20th October 2017 requesting them to strictly enforce the law to ensure the safety and security of media persons."
