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Universal Periodic Review Working Group – 13th Session

Universal Periodic Review of India

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Statement by Australia

24 May 2012

Australia welcomes the delegation from India and appreciates its engagement in the Universal Periodic Review process.

We acknowledge India's position as the world's largest democracy and commend its commitment to human rights, particularly given its size, diversity and multitude of security challenges. We note the many development challenges still facing India, but also note the growing opportunities now available to its people thanks to successive years of strong economic growth.

Australia would particularly like to acknowledge and congratulate the Government of India on its passage of the Right of Children to Free and Compulsory Education (RET) Act in 2009. This will further strengthen India's capacity to achieve its Millennium Development goals on education.

However, we note that despite India's early ratification of the Convention on the Rights of Persons with Disabilities, children with disabilities remain the least educated in the country, with insufficient support given to disabled students for them to exercise their right to education. **We recommend India prioritise efforts to ensure that children with disabilities are afforded the same right to education as all children.**

Australia is also concerned that India has not yet ratified the Convention against Torture despite accepting a recommendation that it do so during its last appearance before the Universal Periodic Review in 2008. We are particularly concerned about the draft Prevention of Torture Bill pending in India's legislature which, despite being presented as a mechanism to ratify the CAT, is not consistent with the Convention in a number of areas including the definition of torture. **Australia recommends India ratify the UN Convention on Torture and ensure that the instrument of ratification is fully consistent with the Convention.**