

**United Nations Human Rights Council**

**27th Session of the UPR Working Group**

**Geneva, 4 May 2017**

**German questions and recommendations to**

**India**

Thank you, Mr. President,

Germany welcomes India’s efforts to address poverty and its root causes, including corruption, with new legislation and a variety of new government programs.

However, Germany is worried about the continued social hardship endured especially by marginalized groups, and is concerned about restrictions on civil society, leading to the following recommendations:

1. 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;
2. 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 for an official visit to the country;
3. Implement a human-rights based, holistic approach to ensure access to adequate housing as well as to adequate water and sanitation, also for marginalized groups, including Dalits/ scheduled castes, homeless, landless, scheduled tribes, religious and ethnic minorities, persons with disabilities, and women.

I thank you, Mr. President.

**GERMAN ADVANCE QUESTIONS TO INDIA**

1. How does the Indian government assess the effects of the Foreign Contribution Regulation Act on its vibrant civil society, which we consider a trait of India’s democracy?
2. Are there concrete measures planned to react to an increased number of reports of human rights defenders suffering from harassment and intimidation, in some cases through government actors?
3. Does India foresee any steps to ratify any further human rights conventions, especially the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as pledged in the last UPR session?
4. How does India plan to strengthen its co-operation with the UN Special Procedures? Are there any plans to accept visits from the Working Group on enforced or involuntary disappearances and the Special Rapporteurs on torture, rights of Indigenous Peoples, and rights to freedom of assembly and association?
5. Which measures will be taken to ensure that marginalized groups – including Dalits/ scheduled tribes, religious and ethnic minorities, and women – benefit from programs targeted at improving access to adequate housing, and water and sanitation?