



**Documents  
on  
Universal Periodic Review  
Human Rights Report  
India  
(2008-2012)**



**NATIONAL LAW UNIVERSITY, DELHI**  
Sector-14, Dwarka, New Delhi-110078, India

**Documents**  
**On**  
**Universal Periodic Review**  
**Human Rights Report**  
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**(2008-2012)**

**Prof. (Dr.) Ranbir Singh**  
**Vice Chancellor**



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## PREFACE

*“The existence and validity of human rights are not written in the stars. The idea concerning the conduct of men toward each other and the desirable structure of the community have been conceived and taught by enlightened individuals in the course of history. Those ideals and convictions which resulted from historical experience, from the craving for beauty and harmony, have been readily accepted in theory by man – and at all times, have been trampled upon by the same people under the pressure of their animal instincts. A large part of history is therefore replete with the struggle for those human rights, an eternal struggle in which a final victory can never be won. But to tire in that struggle would mean the ruin of society”*  
*Albert Einstein*

The protection of basic human rights is one of the most pressing and elusive goals of the international community. Since the establishment of United Nations in 1945 and adoption of the Universal Declaration of Human Rights in 1948, there has been a rapid growth in international law mechanisms for the protection of human rights. There are nearly 100 universal and regional agreements regarding the protection of human rights to which a vast majority of nation States bind themselves today. Yet, the lingering effects of violence, disease, famine, and the destruction of economic and social infrastructure continue to violate human rights and increase the world's death toll.\

The codification of human rights had been started over the centuries. In 1188 A.D., the Cortes, the feudal assembly of the Kingdom of Leon received confirmation of a series of rights, including right of the accused to a regular trial and their right to the inviolability of life, honour, home, and property from King Alfonso IX. In 1222, the Golden Bull of King Andrew II of Hungary guaranteed that no noble would be arrested or ruined without first being convicted in conformity with judicial procedure. In 1215 A.D. Magna Carta was accepted by King John at Runnymede. Clause 39 of Magna Carta says that no free man shall be taken or imprisoned or exiled or in any way destroyed except by the lawful judgment of his peers or (and) the law of the land. England secured the instruments like The English Petition of Rights, 1628 and the English Bill of Rights 1688 to improve rights of Englishmen. American Bill of Rights was passed in 1791 which was influenced by English documents and French philosophers under Rights of Man and of the Citizen Declaration of France in 1789. Justice V.R. Krishna Iyer says “The finest hour of humanity's modern history of human rights dawned when, overpowering Hitler's hordes and Nipponese hounds and their harshest and most horrendous savageries, fifty progressive, peace-seeking leaders of the planet adopted and signed on 26<sup>th</sup> June 1945 in San Francisco the Charter which founded the United Nations, the hallowed haven of the people of the earth”.

The purpose of publication of this compilation is to let the people get an insight into the perception which influenced my role as a Professor of Law about the importance of Universal Periodic Review as a tool of human right preserving instrument in India and around the world. Under the Universal Periodic Review (UPR), each member state is reviewed once every four years. The review is conducted by the UPR Working Group, which consists of all the members of the Human Rights Council. Each review is facilitated by a group of three council members representing a different region each, selected on a draw of lot basis. The set is referred to as the 'troika' which in India's case included Kuwait, Mexico and Mauritius. States are reviewed on the basis of the UN charter, UDHR and other UN human rights treaties to which the state is party to as well as other international commitments made by a state in the field of human rights. A review includes analysis of three reports: the national report (which is produced by state under review), Compilation of UN information (produced by OHCHR) and the Summary of stakeholders information (this report is compiled by the OHCHR on the basis of shadow reports submitted by NGOs, national human rights institutions, civil society organizations, academic sources and other regional organizations).

The idea to prepare the compilation is to make people aware about the importance of Universal Periodic Review in the domain of Human Rights and its status report submitted by India since the introduction of process of Universal Periodic Review in 2008. This compilation of documents includes basic information about Universal Periodic Review submitted by India in 2008 and 2012 along with Joint Stakeholders' Report to United Nations on Universal Periodic Review. The Report of Working Group on Human Rights in India has also been included stating an overview on Human Rights in India. This is a modest attempt to sensitize all the stakeholders against human rights challenges along with the challenges we face.

**Prof. (Dr.) Ranbir Singh**  
Vice Chancellor, NLU, Delhi  
Member (Part-time),  
Law Commission of India  
President, Shastri Indo-  
Canadian Institute, New Delhi

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