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At the UNHCR grilling, India will face more questions than it should answer

This afternoon in Geneva, India will be on the mat at the United Nations Human Rights Council. The occasion is the second round of the Universal Periodic Review since the organisation replaced the UN Human Rights Commission in 2006. India is among the first 14 nations to have their human rights record examined since the first round in 2009. At that time, the UN had identified caste as a form of racism, causing much angst here at home, since it is a complex problem in which race is only one component — and arguably not the most important.

However, caste may not feature in the grilling that India will face this afternoon. For the three and a half hours that India will be in the dock, representatives of nine countries have filed questions in advance, probing a spectrum of issues. A few of these have been addressed by the government but the majority don't have easy answers and, in fact, are live-wire issues in India.

Norway, which has had a difficult season with India over a child custody case, is going to shoot two from the hip. One, it wants to know if India would consider repealing the Armed Forces (Special Powers) Act and the Jammu and Kashmir Public Safety Act. We can show intent if not results since Omar Abdullah, chief minister of Jammu and Kashmir, has lobbied for a rollback of

AFSPA. But Question Two is a bit harder: The 2011 census showed a decline in sex ratio for children aged 0-6 years (914 girls/1000 boys). How will the government of India work to arrest the slide? The honest answer would be: Search me! The UNICEF had highlighted the problem last year but the government has not been able to respond except by assuring better policing of ultrasound clinics.

Nordic neighbour Sweden offers another search-me question: How does the government guarantee that freedom of expression on the internet is not unduly restricted under the information technology rules? How indeed, when the government, both at the Centre and in at least one state, West Bengal, is obviously arrogating the power to suppress critical comment, cartooning and meme-baazi directed at political leaders?

Denmark and Slovenia want to know what effective steps the government proposes to take to end manual scavenging. The practice is unknown in the metros but elsewhere, it persists. This is the only question filed in advance concerning a patently shocking effect of the caste system. Slovenia follows up with another tough question: Is the right to work only guaranteed to members of rural households (through MGNREGA) and if yes, why? Really, why, in a country where land alienation has already caused massive urban migration, where a huge body of what used to be the rural poor now constitutes the majority of the urban poor?

Ireland wants to know what measures are being taken to ban labour for children aged 6-14 years under the Child Labour (Prohibition and Regulation) Act, 1986. The government is in a cleft stick here. Child labour is visibly persistent, and yet the Right to Education law insists that no child in that age span should be denied schooling. The government needs to work magic to encourage the families and employers of child workers to move them from the workplace to the classroom.

Germany offers a double bill. It observes that while discrimination on the basis of religion, race, caste or gender is prohibited by the Constitution, transgression with impunity is quotidian. How does the government intend to enforce the rule of law? This is a generic, pervasive problem with no immediate solution. Secondly, Germany wonders if after amendment, the Foreign Contribution (Regulation) Act guarantees that human rights defenders are able to carry out legitimate and peaceful activities without fear of harassment and intimidation. Alas, some amendments are the problem. Because the said defenders are typically NGOs and their grantees. Over the years, FCRA rules have been made impossibly difficult, ostensibly to contain nonprofits which either subvert tax laws or compromise national security. However, these are a minority and the net effect is that NGOs engaged in legitimate activities have been trammelled by what amounts to harassment and intimidation — by the government itself.

India appears to have been spared on three major domestic issues — the social cost of corruption, runaway urbanisation, as well as inflation and the widening differential between rising livelihoods and the faster-rising cost of living. However, by the time the grilling ends this evening, perhaps even these will have swelled the roster of questions without credible answers.