



# General Assembly

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## Seventy-sixth session

Item 118 (d) of the preliminary list\*

**Elections to fill vacancies in subsidiary organs and other elections: election of members of the Human Rights Council**

### **Note verbale dated 16 August 2021 from the Permanent Mission of India to the United Nations addressed to the President of the General Assembly**

The Permanent Mission of India to the United Nations in New York presents its compliments to the President of the General Assembly and has the honour to refer to India's candidature to the United Nations Human Rights Council for the term 2022–2024 at the elections to be held in New York in October 2021.

In accordance with General Assembly resolution [60/251](#), the Permanent Mission of India to the United Nations has the further honour to transmit herewith an aide memoire containing voluntary pledges and commitments by the Government of India (see annex).

The Permanent Mission of India to the United Nations would be grateful to have the present note verbale and its annex circulated as a document of the General Assembly under agenda item 118 (d).

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\* [A/76/50](#).



## **Annex to the note verbale dated 16 August 2021 from the Permanent Mission of India to the United Nations addressed to the President of the General Assembly**

### **Candidature of India to the Human Rights Council, 2022–2024**

#### **Voluntary pledges and commitments in accordance with United Nations General Assembly resolution 60/251**

1. The ancient Indian wisdom of “Vasudhaiva Kutumbakam” sees the world as one family with its ethos of openness and respect for diversity, coexistence and cooperation. With one sixth of the global population, India is home to a multi-ethnic, multireligious, multilingual society that has lived together for millennia.
2. India has a long tradition of promoting and protecting human rights. That is reflected in the vision of the nation’s founders who drafted the Constitution. The Constitution of India enshrines India’s commitment to human rights by guaranteeing to its citizens fundamental political and civil rights, and provides for the progressive realization of economic, social and cultural rights. These rights are provided in part III of the Constitution, as fundamental rights, and in part IV, as the directive principles of State policy. Going a step further, the Constitution, in article 32, makes the Supreme Court of India the guardian of fundamental rights, entrusting it with their enforcement and interpretation.
3. These Constitutional provisions underpin India’s commitment to promote and protect the basic human rights of 1.35 billion Indians. They embody the abiding commitment of the Government of India to work towards fulfilment of these rights of Indian citizens.
4. As the world’s largest democracy, India’s democratic and constitutional polity is complemented by an independent judiciary, a range of national and state-level commissions that monitor compliance with human rights, a free press and a vibrant and vocal civil society. A series of affirmative measures are in place to help the more vulnerable and marginalized segments of our society, including disadvantaged communities, minorities, women and other groups, and to address issues of social exclusion, deprivation and disadvantage that may be faced by such groups.
5. The National Human Rights Commission of India, an independent and dynamic body that is accredited as an A-status institution by the Global Alliance of National Human Rights Institutions, monitors human rights developments in India and shares its experience and expertise with its counterparts in other countries. In addition, there are state human rights commissions at the level of the country’s states tasked with addressing complaints of human rights violations.
6. India’s engagement with the Human Rights Council is guided by its firm belief in the significant role played by the Council in the global promotion and protection of human rights. For India, the promotion and protection of human rights is essential to achieving the goal of socioeconomic advancement of humanity in its entirety.
7. India’s desire to serve as a member of the Human Rights Council is rooted in its belief that States members of the Council have a unique opportunity and responsibility to work towards the global advancement of human rights. India believes that the promotion and protection of human rights is best pursued through dialogue, cooperation and constructive and collaborative engagement among the States members of the Council with the aim of shaping a better future for all. As a member of the Council, India would continue to bring its pluralistic, moderate and balanced perspective to straddle various divides or differences in the Council.

8. India has consistently demonstrated in practice its commitment to human rights and fundamental freedoms. In May 2017, for the third time in less than 10 years, India's human rights record was reviewed under the universal periodic review mechanism of the Human Rights Council. India will also undergo its fourth-cycle review in November 2022. India presented its second voluntary national review on the implementation of the 17 Sustainable Development Goals under the 2030 Agenda for Sustainable Development at the high-level political forum of the Economic and Social Council at the United Nations in July 2020. Both of these voluntary and State-driven processes elicited broad interest. India's initial report on the Convention on the Rights of Persons with Disabilities was considered in September 2019. India has attached equal priority to the realization of civil and political rights as well as of economic, social and cultural rights.

9. India maintains that sustainable lifestyles and sustainable patterns of consumption and production are important to achieving inclusive sustainable development. Major initiatives of the Government of India, such as "Beti bachao beti padhao – Celebrate the girl child and enable her education", "AatmaNirbharBharat – Self-reliant India", "Swachh Bharat – Clean India", "Jan dhan yojana – Bank accounts for all", "Jal jeevan mission – Water is life", "Smart cities", "Make in India", "Digital India", "Skill India", "Start-up India", "Saubhagya – Universal household electrification" and "Pradhan mantri awas yojana – Housing for all", mirror the targets of the 17 Sustainable Development Goals for achieving the 2030 Agenda. They also further the realization of economic, social and cultural rights and reflect India's belief that sustainable development is the key to enjoyment of various basic human rights by the people of India.

10. India attaches the utmost priority to poverty eradication and achieving inclusive sustainable development. The Government's motto of "Sabka saath, sabka vikas, sabka vishwas", that is, inclusive development for all and with the trust of all, reflects India's commitment to achieving inclusive development in the spirit of leaving no one behind. In all its policies, India seeks to ensure inclusive development, and protection and promotion of the rights of marginalized groups through their empowerment.

11. A similar commitment ensured the success of climate actions of parties to the landmark Paris Agreement reached at the United Nations Framework Convention on Climate Change. India has been an active participant in the deliberations at the Convention and in all international forums with respect to efforts to combat climate change. India has articulated its belief in an ethical and people-centric approach to climate change by espousing climate justice and a sustainable lifestyle. The Supreme Court of India has recognized the right to a clean environment as part of an individual's right to life guaranteed by the Constitution of India.

12. India recognizes the urgent need to ensure universal access to affordable, reliable, sustainable and modern energy to combat climate change and believes that solar energy offers a clean, climate-friendly and inexhaustible energy resource that offers an unprecedented opportunity to bring energy security to the people. India's commitment to the global promotion of solar energy is reflected in its abiding support to the International Solar Alliance. India co-chaired the founding conference of the Alliance together with France in New Delhi on 11 March 2018. India extended \$27 million towards hosting the Alliance secretariat, created a corpus fund for the Alliance, offered training support for Alliance member countries at the National Institute of Solar Energy and provided support for demonstration projects on solar home lighting, solar pumps for farmers and other solar applications. The membership of the Alliance is now open to all States Members of the United Nations, including those lying beyond the tropics. To date, 77 States have joined the Alliance and 18 countries have signed the International Solar Alliance framework agreement.

13. India has taken significant steps to fight climate change. India's mitigation strategies emphasize clean and efficient energy systems; a safe, smart and sustainable green mass urban transportation network; planned afforestation; and the integration of green thinking across all production and consumption sectors. India is one of the few countries that is on track to meet climate change mitigation commitments under the Paris Agreement and exceed the targets set therein. India currently has the fastest-growing solar energy programme in the world and one of the largest clean energy drives globally. Recent commitments include the installation of 450 gigawatts of renewable energy, the elimination of single-use plastic, 100 per cent railway electrification, and the creation of an additional carbon sink by restoring 26 million hectares of degraded land, among other measures.

14. In 2019, India launched the Coalition for Disaster-Resilient Infrastructure at the Climate Action Summit in New York with the aim of promoting disaster resilient infrastructures to ensure sustainable development.

15. India believes that the United Nations should have the necessary resources for its activities and has been a regular contributor to the United Nations. In 2017, India announced the setting up of the India-United Nations Development Partnership Fund in association with the United Nations Office for South-South Cooperation. India has committed a total of \$100 million over the next decade for the Fund. In April 2018, with the aim of working specifically with fellow Commonwealth developing countries, India established a separate Commonwealth window under the Fund. For the Commonwealth window, an additional amount of \$50 million has been committed by the Government of India for the next five years. These resources are non-earmarked in the spirit of sustained and predictable funding for the Sustainable Development Goals and South-South cooperation.

16. An important plank of India's development agenda has been its push towards good governance and the creation of a knowledge society. The aim of the "Digital India" programme is to transform India into a digitally empowered society through increased connectivity, better access to knowledge, the delivery of services, and e-governance through digital means. Centred on empowerment, inclusion and digital transformation, it has had a positive impact on all aspects of the lives of Indian citizens, especially during the coronavirus disease (COVID-19) pandemic.

17. In line with article 25 of the Universal Declaration of Human Rights, India has accorded top priority to the health and well-being of its citizens and devised a holistic approach based on four main pillars of healthcare. The first is preventive healthcare, wherein special emphasis is laid on yoga, Ayurveda and fitness. Under the second pillar, affordable healthcare, the world's largest health insurance scheme, Ayushman Bharat, has been rolled out in the country. Nearly 500 million poor persons have been given the facility of free treatment up to 500,000 rupees annually. Under the third pillar, pertaining to improvements on the supply side, several steps have been taken to ensure quality medical education and medical infrastructure development. The fourth pillar is focused on mission mode intervention, wherein the health of mothers and children has been made a top priority in laying the foundation for a healthy society.

18. India's abiding commitment to the promotion and protection of basic human rights has also been manifest in its strategy to deal with the COVID-19 pandemic. By giving direct food support to 800 million citizens and financial support to 400 million, especially those from the vulnerable sections, including women, India has ensured that basic needs were effectively addressed during the lockdown. In addition to addressing the domestic requirements, India responded to the world in equal measure by providing essential medicines and equipment to more than 150 countries so as to assist them in this fight. In the same spirit, India has pledged to use its vaccine

manufacturing capacity to make vaccines accessible and affordable for all. The pharmacy of the world has supplied millions of vaccine doses to countries under its unique initiative entitled “Vaccine maitri”.

19. Apart from improving governance structures, India’s development policy is focused on ensuring social security and the right to work under just and favourable conditions, and providing a range of socioeconomic entitlements to all citizens. For instance, India has continued its efforts to address child malnutrition. The coverage of the country’s “Integrated child development” scheme has been expanded to ensure better nutrition, health and overall development for children that are less than 6 years old. The scheme includes nutritional and health support to pregnant and lactating mothers. India continues to work towards the effective implementation of the “Mid-day meal” scheme in government-run schools. The “National nutrition mission” has been launched to improve the nutritional status of children, adolescent girls, pregnant women and lactating mothers with the aim of making India malnutrition-free by 2022.

20. India is committed to doubling farmers’ income by 2022. The government strategy includes an emphasis on irrigation for more crop per drop, the provision of quality seeds and nutrients according to the soil quality of each farm, large investments in warehouses and cold chains to prevent post-harvest losses, the promotion of value addition through food processing, the implementation of national agricultural markets and e-platforms (e-NAM), the mitigation of risk, the introduction of a crop insurance scheme at a lower cost, and the promotion of allied activities such as dairy animal husbandry, poultry, beekeeping, horticulture and fisheries. Legislation has been enacted to help farmers, in particular small and marginal ones, to realize better prices for their produce by facilitating greater market access.

21. India remains a young nation; over 65 per cent of its population is below the age of 35. India seeks to be the skill capital of the world through the “Skill India” initiative and is working with several other countries with a focus on getting its youth to acquire the requisite skills to meet global needs.

22. In order to safeguard the rights and welfare of its workers, India has recently enacted three labour codes that will harmonize the needs of workers and industry. The labour codes cover over 500 million workers from the organized and unorganized sectors and the self-employed and are aimed at ensuring minimum wages, social security and pay parity for women workers.

23. India has taken various steps to promote the equal participation of women in the workforce. To ensure a safe and dignified work environment, and to facilitate the overall socioeconomic empowerment of women, India has enacted a law requiring employers to redress effectively complaints of sexual harassment and to take other measures necessary for fostering a gender-sensitive, safe working environment for women.

24. The Government recognizes that women bear a large share of familial care-giving responsibilities, which adversely affects their optimal participation in the workforce, and is committed to a restructuring of workspaces to make them more sensitive to women’s social circumstances. The Maternity Benefits (Amendment) Act, 2017 has increased the duration of paid maternity leave for women employees from 12 weeks to 26 weeks. Also, it provides for crèche facilities and flexible working hours to facilitate equal access for women to employment opportunities.

25. India remains deeply committed to reinforcing and accelerating the efforts to combat trafficking in persons. Through amendments to criminal laws, India now provides stringent punishment for trafficking. India recognizes that a law enforcement response is only a partial step towards addressing the multiple human rights violations

that a trafficked person suffers; various schemes are being put in place for the rehabilitation of survivors of trafficking.

26. India has been at the forefront of recognizing the equal rights of transgender persons. The aim of the Transgender Persons (Protection of Rights) Act, 2019 is to protect the rights of transgender persons and further their welfare. In a landmark judgment of 2018, a constitutional bench of the Supreme Court decriminalized consensual same-sex adult relations in India.

27. India has made significant progress in addressing the special needs of persons with disabilities through its Accessible India Campaign and has taken legislative action on the rights of persons with disabilities and the rights of persons with mental health issues. India remains committed to providing an enabling environment to persons with special abilities.

28. Recognizing people's right to a clean environment, India launched the "Swachh Bharat mission", or "Clean India mission". The first phase of the mission was implemented from 2014 to 2019 as a nation-wide campaign aimed at eliminating open defecation through behavioural change and the construction of household-owned and community-owned toilets; the eradication of manual scavenging, and scientific municipal solid waste management. Under the mission, all villages, districts, states and Union territories in India declared themselves open-defecation free by 2 October 2019, the 150th birth anniversary of Mahatma Gandhi. To ensure that the open-defecation free behaviour is sustained, no one is left behind, and to ensure that solid and liquid waste management facilities are accessible, the second phase of the mission is being implemented at present.

29. India is steadfastly committed to the progressive realization of the right to safe drinking water and sanitation. The purpose of the flagship "Jal jeevan mission – Water is life" is to provide a tap water connection to every rural household in the country by 2024. Its aim is to ensure that every household has an assured drinking water supply in adequate quantity, of prescribed quality and at affordable service delivery charges, leading to an improvement in the living standard of the community, especially women and children.

30. India is committed to the protection of human rights and the promotion of socially responsible businesses. In the *National Voluntary Guidelines on Social, Environmental and Economic Responsibilities of Business*, issued in 2011, the Government of India formally recognizes the framework of the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework. The *National Voluntary Guidelines* have been further updated to align them with the Guiding Principles, the Sustainable Development Goals, the Paris Agreement on climate change and others, and released as the *National Guidelines on Responsible Business Conduct* in March 2019. The Government is also working towards a national action plan for business and human rights for the near future.

31. India is proud of its rich and diverse cultural heritage. Safeguarding the rights of minorities forms an essential core of its polity. The Constitution of India enshrines various provisions for the protection of the rights and interests of minorities. Article 16 guarantees that, in matters of public employment, no discrimination shall be made on grounds of race, religion, caste, etc. Article 25 guarantees freedom of religion to every individual. Article 30 gives minorities the right to establish and administer educational institutions of their choice. India implements various schemes for the inclusion of minorities in education and their socioeconomic empowerment.

32. The right to free speech and expression occupies its rightful place in the core of the Constitution. As the world's largest, multi-layered democracy, India fully

recognizes the importance of free speech and expression. The Supreme Court and other courts in India, through their judicial pronouncements, have significantly expanded the scope of the right to freedom of speech and expression by including other rights, such as the right to freedom of the press, the right to information and even the right to remain silent within its purview.

33. Against that backdrop, India is presenting its candidature for membership of the Human Rights Council for the term 2022–2024, for which the elections will be held at the General Assembly in New York in October/November 2021. India makes the following voluntarily pledges and commitments:

(a) India will continue to uphold the highest standards in the promotion and protection of human rights;

(b) India will continue to strive for the full realization of civil, political, economic, social and cultural rights, including the right to development;

(c) India will continue to strengthen national mechanisms and procedures to promote and protect the human rights and fundamental freedoms of all its citizens;

(d) India will continue to cooperate with States, upon request, in their implementation of human rights through capacity-building by means of technical cooperation, dialogues and exchange of experts;

(e) India will continue to strive to promote the work of the Human Rights Council in accordance with the principles of sovereign equality, mutual respect, cooperation and dialogue;

(f) India will continue to strive to make the Human Rights Council a strong, effective and efficient body capable of promoting and protecting human rights and fundamental freedoms for all;

(g) India will continue to support international efforts to combat racism, racial discrimination, xenophobia and related intolerance;

(h) India will continue to support the protection and promotion of rights of women and children, persons with disabilities and other vulnerable groups through necessary laws, programmes and policies;

(i) India will remain committed to promoting and protecting the full and effective enjoyment of the highest attainable standard of physical and mental health, including with regard to issues related to access to medicines, diagnostics and therapeutics to mitigate the COVID-19 pandemic;

(j) India will continue to expeditiously collaborate with the stakeholders at the national and international levels in order to build back better from the pandemic and ensure the health and well-being of its citizens alongside the rest of the world;

(k) India will remain committed to fighting the global pandemic and ensuring the availability, accessibility and affordability of COVID-19 vaccines for its own citizens as well as for the benefit of humanity in its entirety;

(l) India will continue to engage constructively in the deliberations of the Human Rights Council, and its subsidiary bodies and mechanisms;

(m) India will continue to support the Office of the United Nations High Commissioner for Human Rights, including through regular voluntary contributions;

(n) India will continue to cooperate with special procedures, accept requests for visits and respond to communications;

(o) India is committed to implementing the recommendations it accepted during the third cycle of the universal periodic review;

(p) India remains committed to ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

(q) India will continue to cooperate with treaty monitoring bodies and engage constructively with them in the context of fulfilling its human rights obligations;

(r) India will continue to strengthen the implementation of the human rights treaties that it has ratified;

(s) India will maintain the independence, autonomy and genuine powers of investigation of national human rights bodies, including its National Human Rights Commission, National Commission for Women, National Commission for Protection of Child Rights, National Commission for Minorities, National Commission for Scheduled Castes, National Commission for Scheduled Tribes and National Commission for Backward Classes, as mandated by the Indian Constitution and national legislation;

(t) India will continue to foster a culture of transparency, openness and accountability in the functioning of the Government;

(u) India will continue to foster the genuine participation and effective involvement of civil society, including human rights defenders, in the promotion and protection of human rights, and strengthen protection against reprisals;

(v) India will support the implementation of the 2030 Agenda for Sustainable Development and continue to pursue the domestic actions necessary to implement the Agenda, with an overarching focus on poverty eradication and balanced emphasis on social development, economic growth and environmental protection;

(w) India will continue its strong support and steadfast commitment to working with fellow developing countries and the United Nations development system towards collectively achieving the Sustainable Development Goals.

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