

NATIONAL HUMAN RIGHTS COMMISSION
PRP&P DIVISION, JD(R) UNIT

MINUTES OF THE FIRST MEETING OF
THE TASK FORCE ON NATIONAL ACTION PLAN ON HUMAN RIGHTS

(Date : 13 January 2020, Venue: Room No. 114, NHRC)

The first meeting of the Task Force on National Action Plan on Human Rights (NAP-HR) was held on 13 January 2020 under the chairmanship of Dr. D. M. Mulay, *Hon'ble Member, NHRC*. It was also graced by the presence of Shri Jaideep Govind, *Secretary General*, Ms. Anita Sinha, *Joint Secretary*, Shri Sunil Arora, *Joint Registrar (Law)*, Shri Sudesh Kumar, *Senior Research Officer*, and representatives from the concerned Ministries who were members of the Task force. (A full list of participants is annexed – Annexure I).

2. At the outset, **Ms. Anita Sinha**, *Joint Secretary, NHRC*, welcomed the participants of the meeting and gave a brief introduction about the subject of the meeting. She started her deliberation by quoting Part II, paragraph 71 of the Vienna Declaration and Programme of Action.

3. **Ms. Devosmita Bhattacharya**, *Junior Research Consultant, NHRC*, then started her brief PowerPoint presentation on subject which included topics such as composition of the task force, background of NAP-HR, outcomes of NAP, global scenario, points for discussion, etc. She mentioned that till date 39 member states already made NAP-HR for their respective nations. All these Action Plans could be accessed from the website of the United Nations Human Rights Office of the High Commissioner (OHCHR)¹. The list of countries as mentioned in the website included Australia, Sweden, Scotland, New Zealand, etc. as well as countries like Brazil, Nepal, China, Iraq, Mexico, Sri Lanka, South Africa, and so on. The presentation portrayed the need for drafting a NAP-HR for India at the earliest. She also mentioned about the steps of formulating the NAP as laid down in the Handbook on National Human Rights Plans of Action prepared by OHCHR (also available on the website).

¹ <https://www.ohchr.org/EN/Issues/PlansActions/Pages/PlansofActionIndex.aspx>

4. **Ms. Anita Sinha**, *Joint Secretary, NHRC* discussed the OHCHR NAP Handbook and specifically the steps involved in the drafting procedure. The steps were distributed into 5 phases –
 - 4.1. Preparatory Phase
 - 4.2. Development Phase
 - 4.3. Implementation Phase
 - 4.4. Monitoring Phase
 - 4.5. Review Phase

She further mentioned that since NHRC was in the preparatory phase, a committee might be constituted for developing the draft the Action Plan including domain experts who would meet and discuss the matter at regular intervals during the course of the drafting.

5. **Dr. D. M. Mulay**, *Hon'ble Member, NHRC*, opined that the National Human Rights Commission of India not only does theoretical work, but also hands on work. It deals with grievances and complaints from people all over the country and suggests appropriate solutions. Therefore, the focus should be on correctly projecting the status of Human Rights in our country on international platforms while accepting the gaps and deficiencies.

He continued by saying that the consultation process should be both extensive and inclusive. He specified that while constituting the committee, the members should include as many stakeholders as possible, even representatives from those communities who are the most vulnerable and marginalised sections of the society. He further added that the Human Rights areas should also cover topics like "Environment" and "Business and Human Rights", "Sports and Human Rights", "Human Rights of the Seafarers", etc. along with other mainstream topics. In his views regarding the ministries, he said that the Ministry of External Affairs (MEA), Ministry of Tribal Affairs, and Ministry of Minority Affairs might be included at various stages of the development of NAP-HR as and when necessary.

6. **Smt. Yogita Swaroop**, *Economic Advisor, Ministry of Social Justice and Empowerment* suggested that Department of Legal Affairs, Ministry of Law and Justice, might be included in the core committee as they might deal with the Law aspect of the Human Rights issues.
7. **Ms. Tarika Roy**, *Joint Secretary, Department of Persons with Disabilities (Divyangjan), Ministry of Social Justice and Empowerment*, suggested that the Ministry of Environment, Forest and Climate Change could come later in the developing stage.
8. **Shri K.V.S. Rao**, *Director, Department of Empowerment of Persons With Disabilities, Ministry of Social Justice and Empowerment*, said that since the states would play an important role in the implementation of the NAP-HR, representatives of state government and state Human Rights Commissions might also be included as special invitees in various stages of drafting. To this suggestion, **Hon'ble Member Mulay** said that few states could be selected based on where incidents of Human Rights violations occur frequently and where it occurs rarely. **Shri Jaideep Govind**, *Secretary General, NHRC*, opined that the Ministries already deal with specific topics and thus would be aware of the performance of the states, and good Civil Society Organisations (CSO)/ Non-governmental Organisations (NGO)/ Non-profit Organisations (NPO) which work for Human Rights issues, therefore the Ministries might suggest the names of states and CSO/NGO/NPO who might be considered as special invitees.
9. **Shri K. V. S. Rao** further added that after the first draft of the document would be prepared, it should be put up in the public domain seeking comments and inputs before submitting to the Government of India for approval.
10. The **Secretary General** of NHRC shared a draft report on NAP-HR prepared by Shri Shankar Sen in 2004 (which was received by the Commission from MHA) with all the participants and asked the Ministries to use it as a baseline and come up with new themes for the NAP-HR within a month. He asked them to make a list of broad themes as well as sub themes.

11. Hon'ble Member Mulay agreed with **Dr. N. K. Dhamija**, *Deputy Commissioner, Ministry of Health and Family Welfare*, when he put forth his suggestion that a professional rapporteur with sound academic background might be identified who would compile comments and suggestions from various stakeholders and core committee members and draft the document.
12. **Shri C. S. Mawri**, *Assistant Registrar (Law), NHRC*, commented that a decision might be taken for including two professional rapporteurs instead of one which would expedite the drafting process.
13. **Ms. Anita Sinha**, in consultation with the Secretary General of NHRC brought to the notice of the Chair that a study tour to select countries might be undertaken by the members of the core committee so as to discuss and study the procedural development, the discussions carried out and the extent of participation of CSOs as adopted by those countries who had already prepared their National Human Rights Plan of Action. She believed this would help the members to make realistic projections for effective implementation.
14. The Joint Secretary, NHRC concluded the meeting by delivering a vote of thanks.

Major Recommendations emanated from deliberations

- i. Involvement of Ministry of External Affairs, Ministry of Tribal Affairs, Ministry of Minority Affairs and Department of Legal Affairs, Ministry of Law and Justice to be included in the core committee.
- ii. Core committee to have meetings at regular intervals.
- iii. Identification of a rapporteur to draft NAP-HR.
- iv. Members of the Task Force to propose new themes on human rights issues for incorporating in NAP-HR

List of Participants

1. Ministry

- 1.1. Shri Subrat Kumar Pradhan**, Deputy Secretary (management), Department of Higher Education, Ministry of Human Resource Development
- 1.2. Shri V. K. Verma**, Deputy Secretary, Department of School, Education and Literacy, Ministry of Human Resource Development
- 1.3. Dr. Navneet Kumar Dhamija**, Deputy Commissioner, Ministry of Health and Family Welfare
- 1.4. Ms. Tarika Roy**, Joint Secretary, Department of Persons with Disabilities (Divyangjan), Ministry of Social Justice and Empowerment
- 1.5. Smt. Yogita Swaroop**, Economic Advisor, Ministry of Social Justice and Empowerment
- 1.6. Shri K.V.S. Rao**, Director, Department of Empowerment of Persons With Disabilities, Ministry of Social Justice and Empowerment

2. NHRC

- 2.1. Dr. D. M. Mulay**, Hon'ble Member
- 2.2. Shri Jaideep Govind**, Secretary General
- 2.3. Ms. Anita Sinha**, Joint Secretary
- 2.4. Shri Sunil Arora**, Joint Registrar(Law)
- 2.5. Shri C. S. Mawri**, Assistant Registrar (Law)
- 2.6. Shri Debindra Kundraa**, Assistant Registrar(Law)
- 2.7. Shri Sudesh Kumar**, Senior Research Officer
- 2.8. Shri Arun Kumar Tewari**, Section Officer
- 2.9. Ms. Devosmita Bhattacharya**, Junior Research Consultant
- 2.10. Ms. Tania Chatterjee**, Junior Research Consultant
- 2.11. Shri Pallav Kumar**, Junior Research Consultant