

Input for the UPR on India
Office of the Special Representative of the
United Nations Secretary-General for Children and Armed Conflict

28 March 2022

Background

From 2017 to 2020, the number of grave violations against children increased each year, reaching more than 40 grave violations and affecting almost 40 children in 2020. This included the killing and maiming of children, including by the use of pellets by Indian security forces, explosive remnants of war (ERW), crossfire between armed groups and Indian security forces, grenade attacks, crossfire and shelling across the line of control and torture. Incidents of military use of schools were also concerning.

On 25 February 2021, an agreement between India and Pakistan to "strictly observe" all previously signed agreements was concluded, but incidents across the line of control continued.

A growing concern is the detention of children by Indian security forces in Jammu and Kashmir for alleged association with armed groups or on national security grounds as well as the use of torture against children.

Access to child protection services has improved in Chhattisgarh, Assam, Jharkhand and Disha States affected by the Naxalite insurgency.

Recommendations

- Call on the Government of India to strengthen child protection by implementing concrete measures, including by ending the use of pellets guns against children, and to continue its constructive engagement with the United Nations on practical measures to strengthen existing child protection systems.
- Call on the Government of India to ensure the effective implementation of the Juvenile Justice Act (2015) to address the use of children for illegal activities and the situation of children in detention. Urge the Government to ensure that children are detained only as a measure of last resort and for the shortest appropriate period of time, and to prevent all forms of ill-treatment in detention.
- Call on the Government of India to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
- Call on the Government of India to endorse the Safe Schools declaration and the Vancouver Principles.