

rooted in traditions related to caste, social attitudes and religious practices such as arranged marriages. The number of so-called dowry deaths is on the rise. India has not yet ratified the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

Child labour is endemic in India despite provision in the constitution to protect children from this practice. Over 40 per cent of children work. Poverty and lack of access to basic education are the main reasons for child labour. India is also cited as having possibly the largest number of street children in the world. Despite laws prohibiting child marriage under the age of sixteen, the practice is widespread. India has ratified the UN Convention on the Rights of the Child.

India's National Commission of Human Rights (NCHR) established in 1993, has demonstrated a willingness to take up controversial cases and has focused on key human rights issues. Despite a limited mandate and a lack of staff, the Commission has issued a directive requiring states to report custodial deaths and rapes, and has actively opposed India's Terrorist and Disruptive Activities Act (TADA) requesting information on all TADA cases from States and publicly stating its intention to challenge TADA at the Supreme Court level. Although the armed forces, including the paramilitary, do not come within their purview, the NCHR reported on the October 1993 Bijbehara massacre in Kashmir and criticized the conduct of security forces. In 1993, a special unit within the armed forces was established, its purpose being to educate and generally raise the awareness of security force members with regard to human rights. However, despite these efforts, the effectiveness of the NCHR remains to be seen, particularly as it has no independent investigative capacity and no method of ensuring its recommendations to government will be acted upon. The NCHR has expressed interest in establishing a rapport with the Canadian Human Rights Commission.

### CANADIAN POSITION

Canada continues to encourage the efforts of the Indian Government to improve the human rights situation in the country and welcomed the establishment of a NCHR in 1993. Canada regularly raises human rights problems in India in multilateral fora such as the CHR, the UN General Assembly and the Indian Development Forum. India is one of the most inflexible of NAM members at UNGA and the CHR especially on issues relating to the improvement of the effectiveness of UN human rights machinery.

Bilaterally, Canada maintains a dialogue on human rights with the Indian Government, both at the national and state levels and has consistently pressed the Indian Government to re-admit groups such as Amnesty International to the country and to create an effective human rights commission. We continue to press for a more transparent approach to human rights in India. Human rights were discussed with Indian Home Affairs Minister Chavan during his visit in October.

Poverty is one fundamental underlying factor behind human rights abuses. Bilateral and Canada Fund development programs are directed towards poverty alleviation and include important women-in-development components.