

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3812
ANSWERED ON:19.12.2006
UN CONVENTION AGAINST TORTURE
Paul Dr. Sebastian

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) Whether the Government proposes to take steps to enforce the convention of the United Nations convention against torture (UNCAT) including its ratification ;
- (b) If so, the details thereof ;
- (c) Whether the Government proposes to support the International Criminal Court (ICC) as a strong corrective system in the age of globalised justice ;
- (d) If so, the details thereof ;
- (e) Whether the Government proposes to adopt the optional protocol to the International Covenant for Civil and Political Rights ;
- (f) If so, the details thereof ;
- (g) If not, whether the Government proposes to issue a White Paper on these issues; and
- (h) If so, the details thereof ?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SRIPRAKASH JAISWAL)

- (a) & (b): India is a signatory to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). Enforcement of Convention will arise on its ratification.
- (c) & (d): India has not signed the Statute of the International Criminal Court as there are several deficiencies in the Statute, including that it brings under the purview of the Court several crimes, which are subject to national jurisdiction, and makes the primacy of national jurisdiction subject to the satisfaction of the Court. It does not include terrorism as a crime against humanity. It gives special and discriminatory powers to the UN Security Council to refer to, or block consideration, by the Court, of cases.
- (e) & (f): India is not a signatory to the optional protocol to the International Covenant on Civil and Political Rights.
- (g)&(h) : There is no proposal to issue a White Paper on this subject.