
Mr. Chairman,

I would like to thank the UN Secretary-General for his reports as well as the High Commissioner for Human Rights and the human rights special procedures for their presentations and reports under this agenda item relating to ‘protection and promotion of human rights’.
Promotion and protection of human rights is the fundamental as well as the primary responsibility of all States to its citizens. The international community has made noteworthy progress in advancing promotion and protection of all human rights and fundamental freedoms for all. We would like to welcome the role played by the special procedures of the Human Rights Council in further strengthening the international body of human rights.

India credentials in the promoting and protecting human rights, development, rule of law and democracy are well known. For millennia, India has been a home to diversities, cultures, traditions, religions and thoughts. Even before independence, we were the vanguard of the struggle against apartheid, racial discrimination and gender equality. The vision of our nation’s founding fathers who framed our Constitution was based on a solid commitment to human rights. This was evident from the fact that when we adopted our Constitution in 1950, after nearly 200 years of colonial yolk, the section on the fundamental rights and freedoms granted to our citizens was made one of the most sacred pillars of the Constitution.

This included a triad of human rights namely, (i) the Right to Equality including the prohibition of discrimination in any form, (ii) the six vital freedoms of citizens (including the right to speech and expression) and (iii) the Right to Life guaranteed to all persons. These rights have been recognized to be inalienable unalterable and part of the basic structure of the constitution which cannot be abrogated.

Apart from the fundamental rights, lawmakers in India are also guided by the Directive Principles of State Policy which the framers of the Constitution intended to serve as guiding principles for the years to come. These directives include eliminating and minimizing inequalities, ensuring gender parity, empowerment of women and children; and development of physical and mental health of all.

The Constitutional guarantees have been reinforced by the presence of a fiercely independent judiciary; a free and vibrant media and a vocal and proactive civil society. The remedy of public interest litigations was crafted by the judiciary to ensure that even the most vulnerable sections of society who may not be able to approach judicial courts otherwise can seek justice. This process of judicial redressal has been extremely effective in providing remedies to detainees, children and other vulnerable groups.

Keeping human rights perspective in mind, a major institutional mechanism was set up in 1993 to make human rights secure and enforceable. Under the Protection of Human Rights Act, a powerful and independent National Human Rights Commission was created and since then it has been working with an exemplary record. Various states in India have also established similar Commission to examine violation of rights at the state level. A separate institutional mechanism in the form of National Commission for Women was also created to investigate and register complaints of violations of rights of women including sexual crimes, violence and discrimination against women.
Another revolutionary as well as landmark development in India has been the enactment of the Right to Information Act in 2005. This enables any individual to seek and demand information about the governmental officials and decision making which has led to transparency, accountability and openness in the governmental process.

We also welcome the report of the Secretary General on the Right to Development. The Right to Development is a fundamental link in the web of human rights that promotes social progress and better standards of life for every person. We support the efforts of the Working Group on the Right to Development, and the endeavour to operationalize it and mainstream it in policies and operational activities of relevant actors at the national, regional and international level, including multilateral financial, trade and development institutions.

The process of monitoring and protecting human rights is not easy and the international community must continue its endeavor to unify their forces in the fight against those who commit gross violations. In this regard, it is worth noting that attempts to single out countries for intrusive monitoring and pointing out the failure of the state mechanism in the promotion and protection of human rights of its citizens has not borne any fruits. There is no doubt that human rights abuses must be addressed but it should be done in a comprehensive manner through cooperation, dialogue and consultation. We as international community can only succeed if we adhere to the principles of objectivity, transparency, non-selectivity, non-politicization and non-confrontation.

Terrorism is one of the main threats to the full enjoyment of human rights. Terrorists violate the most fundamental human right of their victims - the right to life. By instilling fear and using tactics of intimidation, terrorists also infringe several other rights of innocent citizens. Terrorism is also an attack on democracy, human dignity, human rights and development. In this regard, it is worth recalling that ensuring the security of its people is the first responsibility of a Government. Yet, States must also be very mindful of their responsibility to protect human rights. The challenge lies in striking the right balance between the imperatives of effectively tackling terrorism on the one hand, and fully observing international law and human rights standards, on the other. Terrorism has emerged as a truly global threat – one that no country should consider itself isolated from. Terrorism must be crushed if the concept of human rights is to retain any meaning for the common man. It should be our collective endeavour to ensure that the human rights debate is not misused for the pursuit of narrow political agendas, or to fulfil territorial ambitions as part of States with destructive foreign policy objectives.

India is proud of its achievements in nurturing a diverse, multi-religious and multi-faceted society as well as the world’s largest democracy. India will continue to play its part and contribute to the realization of the ideas enshrined in the International Bill of Human Rights. Promotion is the best protection of human rights. Mahatma Gandhi once said, “It has always been a mystery to me how men can feel honoured by the
humiliation of their fellow beings.” Let us use this forum to act promptly, collectively and effectively for universal adherence to human rights standards for all. This will also promote inclusive development. After all, development without democracy, social justice and respect for human rights can be neither lasting nor sustainable.

Thank you Mr. Chairman.