

STATEMENT BY MR. SYED SHANHNAWAZ HUSSAIN, MEMBER OF PARLIAMENT AND MEMBER OF THE INDIAN DELEGATION, ON AGENDA ITEM 69 – PROMOTION AND PROTECTION OF HUMAN RIGHTS, AT THE THIRD COMMITTEE OF THE 64TH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY ON OCTOBER 28, 2009



Mr. Chairman,

I would like to thank the UN Secretary-General for his reports as well as the Special Rapporteurs of the special procedures and Representatives of the UN Secretary General for their concise presentations under this agenda item relating to 'protection and promotion of human rights'.

Mr. Chairman,

Protection and promotion of human rights is fundamental duty of all states. A state that does not respect basic human rights would have failed in its primary responsibility.

The international community has been cognizant of this important mandate and has steadily played its role in the promotion and protection of human rights for all. Starting with the adoption of the Universal Declaration of Human Rights in 1948, the international community has since adopted several international human rights instruments in the last 60 years.

Mr. Chairman,

For millennia, India has been a home to vast diversities, cultures, traditions and thoughts. India's commitment to rule of law, democracy, development and human rights is as old as our nation.

We adopted our Constitution in 1950 after nearly 200 years of being a colony. One of the most sacred pillars of the Constitution of India is the fundamental rights and freedoms granted to our citizens.

Article 14 and 15 of the Constitution guarantees equality before the law and freedom from discrimination based on race, sex, caste, religion or place of birth. Article 19 also guarantees every citizen of India the freedom of speech and expression, freedom to assemble peacefully and form associations and freedom of movement within the territory of India.

Mr. Chairman,

It is relevant to note that India is the largest democracy in the world with a solid secular foundation. We respect the right of every individual to practice, profess and propagate their religion.

Mr. Chairman,

Apart from 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, development of women and children; and development of physical and mental health of all.

Mr. Chairman,

We established an independent National Human Rights Commission almost sixteen years ago to examine complaints regarding violations of human rights. Various states in India have also established similar Commission to examine violation of rights at the state level.

In addition, in order to investigate and register complaints of violations of rights of women including sexual crimes, violence against women and discrimination against women, the National Commission for Women was also established.

Mr. Chairman,

While the Constitution of India is the bedrock of our legal and political system, India's independent judiciary, a free and vibrant media and civil society have reinforced the safeguards in order to ensure that these human rights for our citizens are not denied. India has also enacted the 'Right to Information Act' to ensure transparency and accountability of government's activities. Any discussion on human rights protection in India would not be complete without touching upon the role of the judiciary in India. 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 courts otherwise can seek justice via a public spirited person or organization. This process of judicial redressal has been extremely effective in providing remedies to detainees, children and other vulnerable groups.

Mr. Chairman,

As a State Party of the principal covenants on human rights, and of practically all other major human rights instruments, India has consistently promoted civil and political rights on the one hand, and economic, social and cultural rights on the other.

Mr. Chairman,

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, pursuit of happiness and better standards of life for every person.

Mr. Chairman,

Every time a gross violation of human rights occurs in any part of the world it shocks the conscience of the international community. 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 perpetrators who commit gross violations. In that context it is important to recognize that targeting countries for intrusive monitoring is only indicative of a bias and does not further the cause of human rights. 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.

Mr. Chairman,

As I conclude, I would like to say that international community can achieve a lot if we are willing to work with each other in a manner that facilitates rather than obstructs the promotion of human rights. The need is for us to act promptly, collectively and effectively for universal adherence to human rights standards for all. We look forward to continue working with everyone in this arduous task that will make the world a better place to live in for our future generations.

Thank you Mr. Chairman.

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