

STATEMENT BY MR. RAJEEV SHUKLA, MEMBER OF PARLIAMENT AND MEMBER OF THE INDIAN DELEGATION, ON AGENDA ITEM 62 – ELIMINATION OF RACISM AND RACIAL DISCRIMINATION & AGENDA ITEM 63 – RIGHT OF PEOPLES TO SELF-DETERMINATION AT THE THIRD COMMITTEE OF THE 63RD SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY ON NOVEMBER 03, 2008



Mr. Chairman,

I have the honour to speak on Agenda items 62 and 63 on 'Elimination of racism and racial discrimination' and 'Right of peoples to self-determination' respectively. We thank the UN Secretary General for his various reports under these agenda items and also the Chairperson of the Committee on the Elimination of Racial Discrimination, the Special Rapporteur on Contemporary forms of Racism, Racial Discrimination and related Intolerance, and the Chairperson of the Working Group on the use of mercenaries as a means of impeding the exercise of the right of peoples to self determination, for their

statements in the Committee. My delegation also associates itself with the statement made by the distinguished representative of Antigua and Barbuda, as the Chair of the G-77.

Mr. Chairman,

As the Secretary General's report has mentioned, the forthcoming Durban Review Conference in April 2009 will offer an opportunity for all stakeholders to assess the successes and shortcomings in the implementation of various measures adopted by member states to alleviate the discrimination faced by people on account of various factors, including, ethnicity, race and religion. The Review Conference will also contribute to strengthening development and equality through the wider involvement of all the stakeholders, including civil society organisations. The Review Conference is also being convened at an opportune time as the problems of racism, racial discrimination, xenophobia and other related intolerance have not reduced. Instead, political violence induced by these are on the rise globally and has become more brutal and vicious.

We support a multi-faceted approach to combat racism, including through adoption of relevant legislation and amending existing laws combined with action at the national level based on strategies elaborated through national action plans. In addition, a sincere operationalisation of the commitments prescribed in the Durban Declaration and Programme of Action is extremely important to tackle this menace and promote social harmony and peace. We hope that the international community will be able to reach a consensus on this important issue. We look forward to a successful outcome of the Durban Review Conference in Geneva.

Mr. Chairman,

India has maintained unwavering support and solidarity for the goal of the people of Palestine of attaining their inalienable rights, including the right to self-determination. The establishment of an independent, contiguous, viable, independent and sovereign state of Palestine, existing side by side with Israel in peace and security, remains an important unfinished task in the realisation of the right of peoples to self-determination. We are with the overwhelming majority of countries who consistently affirm their commitment to a negotiated two-State solution, accepted by the two principals, that would result in such a state emerging in the Middle East.

It is in this context that India has welcomed the resumption of a direct dialogue between the parties to the conflict, and the process set in motion during the Annapolis Conference last year. We remain convinced that the

Roadmap, as endorsed by UN Security Council Resolution 1515, remains a valid framework of reference for an eventual settlement, and we reiterate the central importance of all parties abiding by their commitments under the Road Map.

We welcome all efforts to take forward the ongoing dialogue and the achievement of the goal announced at Annapolis, ideally within the announced timeframe. We believe that all such efforts should be aimed at the earliest possible conclusion of an agreement that would ensure a just, fair, equitable and mutually-acceptable solution to this conflict, based on relevant UN resolutions, including Security Council resolutions.

Mr. Chairman,

Having said that, the United Nations and other international fora should not be used to selectively redefine some of the core principles of the United Nations Charter in order to satisfy domestic political rhetoric. This is true especially in the context of the right of peoples to self-determination. This concept should always be seen in a historic perspective. Relevant international principles reaffirm that self-determination is a right applicable to the peoples of non-self governing colonies and trust territories. Once exercised, this right enables people to freely choose their own form of Government and for all segments of society to collectively participate in national decision making through representative, democratic institutions. Additionally, the international community has consistently affirmed that the right of self-determination does not extend to component parts or groups within independent sovereign states and any attempts aimed at the partial or total disruption of their national unity are incompatible with the purpose and principles of the UN Charter.

The right to self-determination cannot become an instrument to promote subversion and erode the political cohesion or territorial integrity of sovereign member states of the UN. It cannot be abused to encourage secession and undermine pluralistic and democratic states. Moreover, there is no room for self-determination to be distorted and misinterpreted as a right of a group, on the basis of ethnicity, religion or racial criteria, or any other such categorization, and thus, use it to attempt to undermine the sovereignty and territorial integrity of a state.

Mr. Chairman,

In this context, we regret the unacceptable reference to the Indian state of Jammu and Kashmir made by the delegate of Pakistan in his statement earlier today.

Pakistan's comments pertaining to the Indian state of Jammu and Kashmir constitute a clear interference in the internal affairs of India. The allegations made are factually incorrect and bear no relationship to reality. The delegate of Pakistan would have been better served by avoiding making comments about an integral part of another member state. Such comments are incompatible with the purposes and principles enshrined in the UN charter.

It would suffice to point out that the people of Jammu and Kashmir exercised their right to self determination at the time of India's independence and have since then repeatedly participated in free, fair and open elections at all levels. In contrast, Pakistan pretends to be concerned over human rights, yet denied even a semblance of such rights to the people of Pakistan-Occupied Kashmir. What could be more phony?

I may add that by introducing its unwarranted reference in our discussions the delegate of Pakistan is also harming the cause of the inalienable right of the Palestinian people to self-determination. It will never succeed in its efforts.

On our part, we look forward to the continuation and deepening of a constructive bilateral dialogue between India and Pakistan and to a profound transformation of our bilateral relations, so that our two countries can work together on our shared objectives of peace, prosperity and security.

Thank you, Mr. Chairman.

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