

73rd UNGA
Third Committee
Agenda Item: 74
Promotion and protection of human rights

INDIA STATEMENT
by
Ms. Paulomi Tripathi, First Secretary

29 October 2018

Mr. Chairman,

We thank the Secretary General and the special procedure mandate holders for informing our discussion under this important agenda item.

Representing India at the first session of the Commission of Human Rights in 1947, drafting the Universal Declaration of the Human Rights, Dr. Hansa Mehta, a bold and visionary woman social activist, played an important role in ensuring that the first Article of the UDHR spoke of 'all human beings' rather than 'all men' being 'free and equal'. We recall that this was well before equal rights for women and men were recognized in most legal systems.

The values and principles of UDHR have been enshrined in the Constitution of India, which was adopted shortly thereafter, to provide effective guarantees for protection and promotion of human rights.

Our approach to human rights continues to evolve in tune with emerging aspects, as more rights become justiciable and through progressive interpretation of laws by the judiciary.

Mr. Chairman,

As we mark the 70th anniversary of the Universal Declaration of the Human Rights this year, we need to introspect on the progress made so far in evolution of the normative framework as well as the efficacy of methods adopted for its realization.

The landmark Vienna Declaration and Programme of Action in 1993 placed economic, social and cultural rights, including the right to development, at the same level as civil and political rights. This is relevant in the context of implementation of the 2030 Agenda on Sustainable Development which aims at greater inclusivity, participation, non-discrimination and accountability.

Developmental priorities and societal contexts will continue to define the path that different countries take in the process to realize individual and collective rights. We must have a balanced approach to enhance capacities of duty-bearers to meet their obligations and of rights-holders to claim their rights. Undue focus on one over the other would be counter-productive.

Mr. Chairman,

The creation of the human rights institutions of today stems from hope and faith placed in the work of the United Nations in achieving equality and dignity for all. We witness a gradual erosion of that faith.

The debate over last couple of weeks in this Committee brings us to the fundamental question of what is the most effective approach for promotion and protection of human rights.

We need an honest appraisal of whether the international community has managed to achieve genuine improvement in human rights, by undertaking aggressive and overly intrusive methods without consultation and consent of the country concerned. Such confrontational approach has often been counterproductive, leading to politicization of human rights issues.

We believe that only an approach based on dialogue, consultation and cooperation with non-selectivity and transparency as guiding principles will be effective.

The success of the Universal Periodic Review mechanism supports this, as it aids and guides Member States to implement their human rights obligations. A number of specific recommendations emerging from this interactive process are adapted and implemented by the member states in their domestic context, improving their human rights record.

Today there is proliferation of mechanisms encompassing various aspects of human rights. We must pay attention to the calls for streamlining their mandates, bringing in transparency in funding and balanced geographical representation in staffing patterns.

Mr. Chairman,

A democratic, pluralistic society with a secular polity, an autonomous and impartial judiciary, a vibrant civil society, a free media, and independent human rights institutions, provide effective guarantees for the protection and promotion of human rights India.

India has presented Universal Periodic Review three times in last ten years. Last year, India also presented its Voluntary National Review on the implementation of the SDGs under the 2030 Agenda. Respect for rights of individuals and communities inform all aspects of our inclusive development strategies.

I would like to reiterate India's firm commitment to the promotion and protection of human rights. We look forward to remain engaged with Member States and the wider UN system in upholding human rights for all.

I thank you Mr. Chairman.