

**Statement by the Government of India at the
8th Annual Meeting of the Asia-Pacific Forum of
National Human Rights Institutions
(Kathmandu; 16-18 February 2004)**

Mr. Chairman
Ladies and Gentlemen

Good morning to you all.

I deem it an honour to make a presentation on behalf of the Government of India at this distinguished gathering for the Eighth Annual Meeting of the Asia-Pacific Forum of National Human Rights Institutions. Before I proceed further, I would like to join the other speakers who took the floor before me in extending congratulations and best wishes to you, Mr. Chairman, on your election to lead this Forum for the ensuing year, and in thanking the National Human Rights Commission of Nepal for the organization of this meeting and for their hospitality.

This meeting has seen and will see stimulating discussions on various aspects of human rights from the perspective of those in the avnat-garde of national and international efforts in this sphere. Because of the complex and inter-connected nature of various issues in the realm of human rights, it is never easy to define precisely what should be the boundaries of a human rights debate. This debate, nevertheless, is an important instrument of shaping up the partnership which Government like mine are striving to foster in our common endeavour to ensure the well-being and dignity of mankind everywhere.

India's abiding commitment to the promotion and protection of human rights both within India and at the international level is reflected in our close interaction with concerned international organizations - including this Forum, pro-active engagement in the normative framework and an active and balancing role in international mechanisms and deliberative processes, where we have always striven to facilitate consensus. India's re-election to the Commission on Human Rights for the period 2004-06 confers on us an important responsibility which we intend to discharge with seriousness and sense of purpose.

A traditionally broad outlook and deep respect for the rights and views of fellow human beings, emanating from our cherished values of non-violence and tolerance, have been wedded in modern India with that ultimate guarantor of human rights - a flourishing democracy, which enjoys the rule of law and has institutionalized protection for human rights of its citizens. A democratic way of life is an article of faith for over one billion Indians. The Constitution of India provides the political framework in which the basic aspiration of the people- the aspiration to live with freedom and dignity - is secure, and guaranteed to withstand any attempt at infringement. That guarantee has stood firm for the past over fifty years. What is more, democracy and the values and principles that go with it have facilitated our endeavours for ensuring welfare of the people and liberated their inherent

potential. In India, we have committed ourselves to improving the national well-being by addressing the "life-time concerns" of our people, which have been identified as health, housing, education and employment. India's pluralism and diversity are reasons enough for it to follow no path other than democratic. Periodic elections based on universal adult suffrage form but one aspect of our polity - albeit a very important one. No less important are the many institutions of democracy that have grown deep roots in our country. India has benefited from the establishment of the National Human rights Commission. Many state governments have followed suit. Several educational institutions have introduced human rights education in their curricula. An active civil society and vigilant media have been performing watchdog functions effectively.

India, however, is opposed to the politicization of human rights and their use as an instrument of furthering foreign policy objectives. We prefer constructive approaches based on dialogue, cooperation, consultation and facilitation rather than approaches driven by country-specific spotlighting and intrusive monitoring. We believe that human rights instruments need to be adopted by consensus in order to ensure the principles of universality and indivisibility.

Mr. Chairman, the well-being of any civilized society is a product of many factors, including security, dignity, freedom, democracy and the rule of law. These factors constitute the basic elements of what most of us understand by human rights. In recent times, terrorism has emerged as a global threat to the most fundamental of human rights- the right to life. Governments have been called upon to stand by their primary responsibility of providing security to their people and to democratic institutions, particularly as these become vulnerable targets of terrorism. We must remember that terrorists do not live by any universal norms prescribed in international human rights instruments or in humanitarian law, but seek to create an environment of fear and destruction that hits at the very basic quality of life.

In India, we have unfortunately long borne the brunt of terrorist outrages. Faced with the threat of terrorism, most countries, including India, have been forced to enact special legislation to tackle terrorists. The challenge lies in striking the right balance between the imperative of dealing with, and putting an end to, terrorism on one hand and safeguarding human rights on the other through commitment to the rule of law.

No cause or struggle can justify terrorism. Grievances, real or imaginary, cannot be addressed at the point of gun. It is important to avoid the trap of "root cause" of terrorism, just as it is important to steer clear of debate on the definition of terrorism if effective, consistent and concerted action is to be taken by international community against terrorism. Full enjoyment of human rights will remain under grave threat unless terrorism is eradicated. This is a reality we could ignore only at our collective peril.

Thank you.