

DISSENT IS WELCOME, BUT DISINTEGRATION IS NOT: VICE PRESIDENT

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Vice President's Secretariat

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Addresses International Human Rights Conclave

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The Vice President of India, Shri M. Venkaiah Naidu has said that India has been unequivocal in its commitment to the preservation and protection of human rights globally as well as within the country. He was addressing the gathering after inaugurating the National Human Rights Conclave being organized as a part of the Silver Jubilee Celebrations of the National Human Rights Commission, here today. The Chairperson, National Human Rights Commission, Justice H.L. Dattu and other dignitaries were present on the occasion.

The Vice President reaffirmed that human rights were the most natural rights, inherent to all human beings without discrimination. He also tasked the state with the primary responsibility of upholding, respecting, protecting and fulfilling these inalienable rights and he applauded India's robust human rights protection framework comprising of a fiercely independent and fair judiciary, media, civil society and a number of proactive and independent human right bodies, such as the National Human Rights Commission. India is also a signatory to several of the core UN Human Rights and International Labour Organization's conventions, he added.

The Vice President appreciated the good work done by NHRC as a diligent watchdog of human rights protection and said that the massive rise in the number of complaints received by the NHRC from 496 in 1993 to 79,612 cases in 2018 were a testament to the faith that the people of India placed on the NHRC. He lauded the efforts of NHRC towards eradication of the abhorrent practices of bonded labor child labor and manual scavenging.

The Vice President insisted that special focus should be placed on protecting the rights of the vulnerable sections of the society, especially women and children. He reserved a few proud words to speak of India's strong track record of affirmative action, especially women's reservation in Local Self governing bodies. He said that the contribution of women, who are

'*Shaktiswarupinis*', was indispensable to nation building and added that the principle of gender equality was enshrined in the constitution. He placed the onus on parents and teachers to inculcate the principles of gender equality in children. He declared that no civilized society would tolerate or accept any form of violence or discrimination against women and children.

The Vice President highlighted several challenges that lay in the path towards securing human rights. He observed that Indian democracy allows space for everyone to express their opinions. He welcomed 'dissent' but warned that 'disintegration' would not be tolerated.

The Vice President argued that human rights did not confer unfettered liberty to anyone to speak against the state or nation and added that human rights are best upheld if they are in harmony with the interests of the nation and fellow citizens. He lamented that the misuse of provisions of the human rights emerged as recent phenomenon. He observed that Human Rights are for everyone, in equal measure and therefore the rights of one person could not transgress the rights of another. In this context, he condemned acts of terrorism and said that India had lost several of its luminary leaders including Shri Rajiv Gandhi, Smt. Indira Gandhi and a number of MLAs and MPs to mindless acts of terror.

He extended a warm welcome to delegates from all over the world and told them that their presence in the Conclave reflected the deep concerns they had for the protection of human rights in their countries. He expressed hope that the conclave would act as a platform for dwelling upon diverse challenges to protection of human rights. He hoped that we would soon be able to ensure that the dignity and rights of all people, without exception are protected and a respect for human life and natural environment is fostered.

Following is the text of Vice President's address:

"I am delighted to participate in this INTERNATIONAL HUMAN RIGHTS CONCLAVE and share my thoughts with all of you.

Human rights are rights inherent to all human beings without discrimination. The primary responsibility for upholding human rights rests with States which have the responsibility to respect, protect and fulfill those rights.

The human rights discourse has assumed great importance, especially in the last few decades, with human rights being viewed by governments and civil society alike, as indispensable to the realization of peaceful existence and human development, including the 2030 Agenda of Sustainable Development Goals (SDGs).

The arena of human rights and social justice has gradually expanded over the decades to include among others, the right to healthcare, education, food, business responsibility to respect human rights, policy-level interventions in the form of affirmative action for the historically marginalized and discriminated. Further, issues of gender, youth, the differently-abled, and the elderly are also recognized as important human right concerns today.

India has been unequivocal in its commitment to the preservation and protection of human rights globally as well as within the country. It is a signatory to several of the core UN human rights and International Labour Organisation (ILO) conventions, including the International Covenant on Civil and Political Rights, 1966; International Covenant on Economic, Social, and Cultural Rights, 1966; Convention on the Elimination of All Forms of Discrimination against Women, 1979; Convention on the Rights of the Child, 1989; and the Conventions on Rights of Persons with Disabilities, Racial Discrimination, Forced Labour, and Equal Remuneration, among others.

In addition to being a signatory to these important human rights conventions, the country also boasts of a robust human rights protection framework comprising a fiercely independent and fair judiciary, media, civil society and independent human right bodies, such as, the National Human Rights Commission, National Commissions for Women, Children, Scheduled Castes, Scheduled Tribes and Minorities, and State Human Rights Commissions. Collectively, these institutions provide a vigorous and effective network for human rights protection and an effective system of checks and balances.

The establishment of urban and rural local self-government, notably the three-tier Panchayati Raj system is also a crucial component of this human rights protection framework, for it has taken development, human rights, and socio-economic welfare down to the very grass-root level. Local self-governance in India has opened up new vistas in women's empowerment and the participation of historically marginalized groups such as Scheduled Castes and Scheduled Tribes in local governance/public affairs, thus, bolstering our shared vision for the realization of human rights and human empowerment.

It was in keeping with the Universal Declaration of Human Rights, 1948 and the Paris Principles, adopted at the first international workshop on National Institutions for the Promotion and Protection of Human Rights in Paris in October 1991 and endorsed by the General Assembly of the United Nations through its Resolution of 20 December 1993, that countries across the world established their respective National Human Rights Institutions (NHRIs).

The National Human Rights Commission of India was also instituted by the Parliament of India with a view to realizing the cherished goal of equal rights and life opportunities for all people.

Since its establishment on 12 October 1993, the NHRC, India has played a pivotal role in the enforcement of the fundamental rights outlined in our Constitution and those contained in key international human rights instruments to which India is a party. The Commission has earned the confidence and trust of all stakeholders, given its constructive and growing role as a watchdog of human rights protection in society. There has been a surge in the number of complaints received by the Commission over the years – from a mere 496 complaints in the year of its inception, to 79,612 cases registered and 64,670 cases disposed off during the period 2017-18 (up to 31.03.2018). The phenomenal increase in the number of complaints received by the Commission is indicative of the growing awareness of their rights among the people as also their growing faith in the Commission to obtain relief and redress for rights violations.

The phenomenal range of activities of the Commission has been aimed at the protection of civil, political, economic, social, and cultural rights. It has directed its efforts towards the eradication of the abhorrent practices of bonded and child labour and manual scavenging, as well as protection of the rights of vulnerable sections including, children, women, under trial prisoners, and other marginalized sections of society.

The Commission has also undertaken work in areas such as the right to health, food, silicosis, business and human rights, prisons and police reforms, displacement, education, and the rights of the differently-abled and elderly.

NHRIs under the Paris Principles, were envisioned as important actors to further realize the goals set out by the international comity of nations within the Universal Declaration of Human Rights (UDHR) and UN Charter. Acknowledging the important role played by these domestic bodies in protecting and promoting human rights, the UN has actively advocated for a more prominent role for NHRIs within the domestic, regional and international framework of human rights protection and promotion.

NHRC, India is a member of the Global Alliance of National Human Rights Institutions (GANHRI) and a Founder Member of the Asia Pacific Forum of National Human Rights Institutions (APF).

In addition to its international engagement, NHRC, India has done much by way of spreading human rights awareness and sensitization among governments and members of civil society on the importance of safeguarding human rights. It is a matter of immense pride for each citizen of the country therefore, to celebrate the 25th year of the Commission's pioneering work in the field of human rights protection and promotion.

I am delighted to witness the participation of delegates from across the world at this important *International Human Rights Conclave* being organized by the Commission to commemorate its Silver Jubilee year. We heartily welcome delegates from other National Human Rights Institutions (NHRIs), global and regional networks of NHRIs, including the Global Alliance of NHRIs (GANHRI), and regional networks of Americas, Africa, Europe and the Asia-Pacific. Your presence at this Conclave reflects your deep concern for the protection and promotion of human rights within your respective countries and regions.

I am sure you would all agree that despite formidable human rights protection frameworks – nationally, regionally, and internationally, and the significant strides that have been made since the setting up of the United Nations, there are several human rights challenges that continue to confront us as a global society. Questions continue to arise with regard to the gaps in actual implementation of the various international and domestic treaties, legislations and declarations in effectively realizing human rights standards on ground.

Legislation alone does not guarantee human rights – for every piece of progressive legislation, there is still the struggle against the tardy implementation of these laws. These gaps in existence and implementation of legislation are further exacerbated by other important, structural causes which impede the effective realization of human rights, including poverty, corruption, terrorism, climate change, challenges of universal healthcare and education, and changing demographic realities of our times.

It is precisely with a view to deliberating on these important concerns that the National Human Rights Commission of India has organized this International Conclave – to enable each of you to share your experiences, best practices and successes and challenges.

I am delighted therefore, that the Commission has chosen to deliberate upon these three vital human rights concerns at this conclave -- 1) Emerging Dimensions of Human Rights with focus on Trafficking/Migrant/Forced Labour and Rights of Marginalised Sections of Society; 2) Protect, Respect and Remedy Framework of Business and Human Rights; and 3) Empowerment and Protection of Women and Children: Challenges and Road Ahead.

As you all are aware, human trafficking has become a global menace and all countries need to collaborate closely to stamp out this evil. Trafficking and all forms of forced labour result in the violation of a whole range of human rights – among them, the very right to life, liberty and security of person, the right to freedom from torture or cruelty, inhuman or degrading treatment, the right to a home and family, the right to education and proper employment, and the right to health care – everything that makes for a life of dignity.

In the expanding ambit of human rights, the concern with business and human rights has also gained salience. While economic globalization has lifted large numbers out of the clutches of poverty, there is a visible tension today between human rights and globalization processes. Rapid economic globalization and liberalization processes have also had a downside, in terms of environmental degradation-- a huge carbon footprint of corporate, making the challenge of

climate change more real and urgent and rendering the already marginalized more vulnerable to the vagaries of the free market.

The contribution of women is indispensable to the creation of peaceful, just and progressive societies, given their focus on human relationships and their engagement with the demanding responsibilities, both at home and work. The principle of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties and Directive Principles. The Constitution not only grants equality to women, but also empowers the State to adopt measures of positive discrimination in favour of women.

Within the framework of a democratic polity, our laws, development policies, plans and programmes have aimed at women's advancement in different spheres. However, this does not take away from the fact that women and children, do face a disproportionate violation of their rights and are more vulnerable to violence and unequal economic and social opportunities.

No civilized society can tolerate or accept any form of discrimination against women and children.

I have time and again stated that mere enactment of laws was not enough to prevent atrocities against women. There has to be a change of mindset - and this change has to begin at home from an early age - it is the duty of parents to ensure that the girl child is not discriminated in any manner at home. Similarly, teachers have to ensure gender equality at schools. Thus, parents and teachers have an enormous responsibility in laying strong ethical and moral foundations and building a new India which is free from gender discrimination.

Indian culture from times immemorial has treated women with reverence. Youth of today should be made to understand the importance of our culture and tradition in respecting women.

Before concluding I would like to point out that human rights are equal for all-irrespective of caste, creed and gender. Unfortunately, some human rights activists or groups seem to think differently. While they raise a hue and cry whenever there is an incident involving the police or security forces, a stoic silence is maintained when innocents are killed by left wing extremists or terrorists.

I am certain that this Conclave will provide all of you an opportunity to collectively reflect on what measures we can undertake in our individual and institutional capacities to address the human rights gaps and overcome the challenges. Progress on human rights in India and on the larger global scale will depend on the steps we take to ensure justice and accountability for all citizens, protect vulnerable communities, protect the free exchange of ideas and dissent, increase accountability among public servants, private sector as well as police and other security forces.

It is heartening to note that the NHRC, India on its part has been striving to protect and promote the constitutional rights of the common citizens over the last 25 years, and has gradually expanded its scope of activity to embrace newer human right challenges and concerns with a view to promoting a culture of human rights in the country.

On this important occasion of the Commission's Silver Jubilee, I extend my heartfelt felicitations to the Commission, delegates and dignitaries present at this International Human Rights Conclave. I hope the deliberations that will lead to important recommendations as well as a blueprint for the future on how best to ensure that the dignity and rights of all people without exception are protected and how we can foster the spirit of respect for all human life and our natural environment.

JAI HIND!"

AKT/BK/MS/RK

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