

**Address for Chairperson for the *Human Rights Day* function, 10<sup>th</sup> December 2017, New Delhi**

The Chief Guest this evening – Hon'ble Vice President of India, Shri M. Venkaiah Naidu, my esteemed colleagues and Members of the Commission – Justice Shri P C Ghose, Justice Shri D Murugesan, Shri S C Sinha, and Smt Jyotika Kalra, Secretary General, NHRC, Chairpersons and Members of other National Commissions and State Human Rights Commissions, Secretaries and Officers of the Government of India as well as State Governments, Representative of the UNIC and other esteemed delegates from UN agencies, Members of the Diplomatic Corps, Members of the Media, NGOs and Civil Society, Officers and Staff of the NHRC, and other Distinguished Invitees,

On behalf of the National Human Rights Commission, I extend a very warm welcome to all of you on the significant occasion of 'International Human Rights Day'. I am especially grateful to the Hon'ble Vice President of India, Shri M. Venkaiah Naidu for having spared his valuable time to grace this occasion. His presence today is indicative of his concern for and commitment to ensuring an effective realization of human rights for the people of India.

Shri Naidu brings with him his vast and rich experience of public life spanning over four decades and a political career marked by brilliant achievements. Both as a student leader and prominent political figure, Shri Naidu has been known as a powerful orator, who has vigorously championed the cause of farmers and the development of backward areas. His oratory skills and activism propelled him into active politics and he was elected as an MLA to the Andhra Pradesh Legislative Assembly twice from Nellore district in 1978 and 1983. He rose to become one of the most popular leaders in Andhra Pradesh and after

serving in various organisational posts of his Party at the state and national levels, he was elected as a member of the Rajya Sabha from Karnataka in 1998.

Subsequently, he was re-elected twice to the Rajya Sabha, in 2004 and 2010, from Karnataka. He has served as his party's spokesperson and National President as well as the Union Minister of Rural and Urban Development, Housing and Urban Poverty Alleviation, Information and Broadcasting, and Parliamentary Affairs before taking charge of the Office of the Vice President in August this year. In his illustrious career, Shri Naidu has contributed significantly to India's political, social and human rights landscape, and we are indeed grateful to him for his gracious presence at today's Human Rights Day function.

*Human Rights Day* commemorates a landmark achievement in recent human history – that is, the adoption of the Universal Declaration of Human Rights (UDHR) by the United Nations General Assembly in 1948. The Declaration, regarded as a milestone document in international human rights jurisprudence, proclaims the inalienable rights of all human beings – regardless of their race, colour, religion, sex, language, political or other opinion, national or social origin, birth or any other status.

Since 1948, the UDHR continues to be perhaps the most important and far-reaching of all United Nations declarations, and a source of inspiration for national and international efforts to promote and protect human rights and fundamental freedoms. The Declaration set the direction for subsequent initiatives and efforts in the field of human rights and has provided the fundamental philosophy on the basis of which, several legally-binding international instruments have been adopted, to many of which, India is a State Party.

In addition, the core fundamental rights guaranteed by the Constitution to the people of India, namely, right to equality, right to freedom, right against exploitation, right to freedom of religion, cultural and educational rights, and the right to constitutional remedies, together with the Directive Principles of State Policy, form the bedrock of our constitutional democracy.

The Indian experience provides an interesting study of how despite multiple challenges, India's democratic polity has been strengthened over the years through exhaustive constitutional provisions and concerted efforts of successive governments, the judiciary, media and civil society, to ensure inclusivity and a respect for human rights. The Courts in India have expounded in detail on the nature of human rights. The Supreme Court of India, for instance, has averred that "*human rights are basic, inherent, immutable and inalienable rights to which a person is entitled simply by virtue of his/her being born human.*"

Further, the Apex Court in one of its judgments has also observed that "the definition of 'human rights' contained in the 1993 PHR Act has been designedly kept very broad to encompass within it all the rights relating to 'life, liberty, equality and dignity' of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by Courts in India. Thus, in keeping with the broad definition of human rights contained in the PHR Act and the expansive mandate of the NHRC, India, which has been recognized by the country's Apex Court, the Commission has consistently endeavoured to expand the sphere of its work and activities.

NHRC, India has been observing *Human Rights Day* each year, with a view to renew and reiterate its unwavering commitment to the cause of human rights of the people of this country. Since its establishment on 12 October 1993, the

Commission has made significant contributions to mainstreaming a human rights-centered approach in the legislations as well as Government policies and programmes. NHRC has also been involved in creating human rights awareness and sensitization among public authorities, civil society and people of the country. Through the years, the Commission has consistently striven to broaden the ambit of human rights to ensure the protection of the civil and political rights of the people as well as their economic, social, and cultural rights.

The Commission has evolved a rigorous reporting system and guidelines, to monitor civil and political rights, including its guidelines on matters such as, custodial deaths and custodial rapes, and death in police action. It has also focused on the living conditions in prisons, with special attention to aspects of over-crowding, medical care for prisoners and the sensitization of prison staff to the rights of inmates. The interventions of the Commission have played an important role in reigning in human rights violations committed by the police and other agencies with impunity.

For the realization of economic, social, and cultural rights, the Commission has taken important initiatives on the issues of right to health, education, besides rights of women, children, persons with disabilities and displaced persons, among others. Simultaneously, the Commission has endeavoured to promote a human rights culture in the country by taking up with concerned authorities, the introduction of human rights education in the school and university curriculum.

The NHRC has been organising programmes for government officials, field functionaries, students and faculty members of Universities/Colleges and representatives of NGOs to encourage them to make a rights-based approach central to their work and activities. During 2016-17 (up to 31.03.2017), 109 NHRC

sponsored training programmes on Human Rights and related issues were conducted by 90 institutions. Delegations of 622 students as well as trainees and officers from various universities and institutions visited the NHRC and were briefed on human rights issues. The Commission also continues to organise its coveted month-long Summer and Winter Internship Programmes for University students from across the country, in addition to providing an opportunity to large numbers of students for short-term internships with the NHRC.

There has been a phenomenal increase in the number of complaints received by the Commission over the years – from 496 complaints in 1993-94, the Commission registered 91,887 (Ninety One Thousand Eight Hundred and Eighty Seven) cases during 2016-17, and has disposed off 1,00,622 (One Lakh Six Hundred and Twenty Two) cases, which include cases carried forward from previous years.

During the said period, the Commission also recommended payment of monetary relief amounting to Rupees 11,32,77,500 (Eleven Crore Thirty Two Lakh Seventy Seven Thousand and Five Hundred) in 533 cases. The phenomenal increase in the number of complaints is indicative of the growing awareness of their rights among the people as also their growing confidence in the Commission. It is a matter of great satisfaction that in almost all cases, Government authorities have complied with the NHRC's recommendations for providing relief and initiating action against errant officials.

Apart from enquiring into the complaints on the basis of reports it receives from various investigating agencies, the Commission also carries out independent visits to assess the situation on ground. During the period 2016-17, the Commission sent its own investigation teams for spot enquiries in 58 cases of

alleged human rights violations, of which enquiries have been completed in all cases.

The Commission is making all-out efforts to make its complaint handling even more effective, and has accordingly, designed, developed and implemented a web-based version of Complaint Management System software using technical support of National Informatics Centre (NIC). This software has new, improved modules which help make the handling of complaints, even more effective. The latest ICT technology has been used in the software for informing status of complaints to complainants using SMS and emails.

The NHRC, India, in the exercise of its quasi-judicial powers, **monitors individual complaints and other thematic human rights concerns**. It organizes workshops, review meetings, spot investigations and regular visits by its Members, Special Rapporteurs and Officers across the country to monitor human rights. These visits are undertaken as part of its **28-district** programme, **camp commission sittings**, and **open hearings**, and in exercise of its mandate to visit detention centres across the country. The Commission undertakes regular visits to the country's most backward districts under its flagship 28-district programme, wherein it monitors specific concerns such as food security; rights of women; right to education, health, hygiene, sanitation, and housing; human trafficking, bonded/child labour etc. The Commission sends its recommendations to state authorities after the visits, following which Action Taken Reports are sought from the States, received and further monitored.

Further, the Commission has constituted a number of **Core and Expert Groups** on sectoral issues like health, bonded labour, disability, mental health, right to food, silicosis, and the rights of elderly, among others. It has also

constituted a **Core Group of NGOs** to draw on the expertise of NGOs working at the grassroots. The members of these core groups are specialists drawn from civil society, whom the Commission consults on complex technical matters. The NHRC has also appointed **Special Rapporteurs** to monitor thematic human rights issues as also the human rights situation across different geographical regions in the country. The Commission has also been conducting spot enquiries through its specialized Cell on Bonded Labour.

Section 12(f) of the PHR Act 1993 mandates the Commission to ‘study treaties and other international instruments on human rights and make recommendations for their effective implementation.’ While the NHRC has undertaken various initiatives in the past to fulfill this particular mandate, it is for the first time since the Commission’s inception that a concerted effort has been made to bring about consonance between India’s domestic legislations and the international human rights standards to which India is a State Party. Accordingly, the Commission has set up a **Committee on International Conventions and Treaties** comprising legal and administrative experts to guide the Commission along this direction.

Recently, the Commission appointed **‘Special Monitors’** to oversee and report to the Commission on the following thematic issues – (a) Prison Conditions and (b) Communal Riots and Minorities. The Special Monitors appointed by the Commission are analogous to the Special Procedures under the United Nations procedures. The appointment of Special Monitors has been undertaken with a view to further enhance the reach of the Commission as well as to strengthen the monitoring of these important thematic human rights issues.

In accord with the mandate provided under Section 12 of the PHR Act, 1993 to 'spread human rights literacy', the Commission instituted a **Short Film Award Scheme**, with a view to promote and acknowledge cinematic and creative efforts in the field of human rights. The award carries a citation along with prize money of Rs. One Lakh, Rs.75 thousand and Rs.50 thousand for the first, second and third best films, respectively. The Commission, having received an enthusiastic response to this initiative in 2015, decided to continue with the said Scheme and accordingly, opened entries for the 'Short Film Awards' in 2016 and 2017. The Commission received 65 film entries this year, on a wide range of human rights issues, of which the three best entries have been chosen by an eminent Jury comprising National Film awardees, FTII alumnus, and other renowned individuals from the film and arts fraternity. In addition, the Jury has recommended four (04) films for a 'Certificate of Special Mention'. The Commission is pleased to welcome and honour the makers of these insightful and creative short-films at today's Human Rights Day function.

I am also delighted to share that with a view to expand the Commission's engagement with civil society and to encourage in particular, the country's youth to think more closely about human rights issues, the Commission has decided to host a **National Street Theatre Festival in 2018** – the year of the Commission's Silver Jubilee Foundation Day celebrations. I am of the firm belief that the future of human rights depends on the resolve of the youth to open the way, armed with their spirited drive and creative energy, to a new age of peace and well-being for themselves and the planet at large.

At the International level too, the Commission has and continues to play an active role in the promotion and protection of human rights. **I am pleased to share that the Global Alliance of National Human Rights Institutions (GANHRI)**

**has recommended re-accreditation of NHRC, India with `A' status** for the third consecutive time, as acknowledgment of the important work that the Commission has carried out in the protection of human rights within the country and in promoting human rights awareness even internationally. NHRC, India is presently also Member of the GANHRI Bureau which is the important policy-setting body of this global organisation of NHRIs. It is also a Founder Member of the Asia Pacific Forum of National Human Rights Institutions (APF). During the year, the Commission actively participated in the annual meetings of these bodies and shared its best practices with other NHRIs of the region.

The Commission submitted parallel country reports to the UN Human Rights Council for India's first, second and third Universal Periodic Review (UPR). In preparation for the Third UPR of India in May 2017, the Commission held regional consultations, including for the Northern, Eastern, Southern, Central, and Western regions, as well as a National Consultation to prepare its report. More recently, the Commission's Joint Secretary also made an oral statement on India's Third UPR at the Plenary Session of the UN Human Rights Council in September 2017 in Geneva.

The Commission has also been interacting regularly with delegations from other National Human Rights Institutions as well as international organisations, including international NGOs. During the year, the Commission held discussions with representatives of the OHCHR, UNFPA, the UN Special Rapporteur on Adequate Housing, and delegations from the European Union Member States. A delegation of Bangladesh NHRC also visited the Commission to understand its working and learn about good practices followed here.

As we celebrate this important day, I am reminded of the powerful words of the American civil rights champion, Dr. Martin Luther King who once famously remarked, and I quote, *“Darkness cannot drive out darkness; only light can. Hate cannot drive out hate; only love can.”* It is in the same spirit that the NHRC has relentlessly worked towards the realization of this shared vision – of dispelling darkness, promoting light, and safeguarding the innate dignity of every human life.

I am confident that through incorporating human rights as a way of life, we can actualize a fundamental change in our collective efforts to eradicate the scourge of poverty, ignorance, prejudices, and discrimination based on sex, caste, religion, disability and other forms, within our society.

On this significant day, let us pledge to re-dedicate ourselves to achieving a just and equitable society through upholding the principles and ideals enshrined in our Constitution and the Universal Declaration of Human Rights for the protection and promotion of human dignity and the inviolable rights of all citizens of the country.

Thank you.

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