



PERMANENT MISSION OF
INDIA
TO THE UNITED NATIONS OFFICE
GENEVA

STATEMENT BY MR. S.S. AHLUWALIA, MEMBER OF PARLIAMENT
AND ALTERNATE LEADER OF THE INDIAN DELEGATION TO THE
45TH SESSION OF THE HUMAN RIGHTS COMMISSION
UNDER AGENDA ITEMS 8 and 18.

GENEVA, FEBRUARY 13, 1989.

Mr. Chairman,

The Right to Development is of particular significance for the universal realisation of all human rights, especially as regards developing countries. The greater part of humanity shares the problems of poverty and under-development.

There is a view which is often voiced in certain quarters that the Right to Development is without proper legal foundation. Such a conservative view is unjustified. My delegation would like to point out that the Charter of the United Nations itself starts with a preamble in which the people of the United Nations have "determined to promote social progress and better standards of life in larger freedom" and towards this and other specified ends, to unite their strength to maintain international peace and security and to employ international machinery for the promotion of the economic and social advancement of all peoples. Thus the Right to Development certainly does have a legal basis for affirmative action, and it is based on a dynamic set of principles which have themselves unfolded progressively. India considers the Declaration on the Right to Development as one of the most important initiatives of the United Nations towards innovative standard setting and codification since it provides legal recognition to this very essential right.

Mr. Chairman, there are different sets of human rights which have been enshrined in international instruments.

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There are civil and political rights as well as economic, social and cultural rights. We believe that these rights are indivisible and should be treated in an integrated manner. Any approach that seeks to compartmentalise human rights would not serve the cause of promoting their full enjoyment. Our stress on the Right to Development is of course not motivated by any desire to make political liberties contingent upon the fulfilment of social, economic and cultural rights, but to emphasise our belief that all human rights are inter-dependent.

The adoption of the Declaration on the Right to Development shows that the international community can come together for a common purpose despite the great divide that exists between the North and the South, between the rich and the poor. The Declaration was adopted with near unanimity which shows that there is considerable support for the future work relating to the implementation of the provisions of the Declaration.

Mr. Chairman, the world economy has not yet extricated itself from the crisis that has characterised it since the early eighties. Existing instruments have not been able to cope with current problems. Belief in multilateralism and inter-dependence is under increasing stress. The instability of the world economy has been manifested in massive budget deficits and payment imbalances in several developed countries and volatility of exchange rates. The overall situation has had grave consequences for developing countries. It has resulted in serious deterioration of the terms of trade, decline in the flow of financial

resources and a sharp escalation in their debt burden. The rise of protectionism by which developing countries have been more affected, has compounded the problems. Many regions of the developing world are in a crisis situation.

Mr. Chairman, the international economic situation is linked to the present discussion on the Right to Development in the Human Rights Commission. I would submit that the links between the two are fundamental and basic. The full realisation of economic, social and cultural rights is affected by currents in the global economic situation. For instance, the severe adjustment burden which has been imposed on the indebted countries has exacted heavy sacrifices by their peoples in social, economic and cultural terms, in turn exacerbating social and political tension.

Mr. Chairman, I have outlined above the legal and economic aspects of the Right to Development. Let me now focus on what we consider to be its most important dimension. I refer, Sir, to the human aspect of development. When we speak of development we do not speak only about the satisfaction of material needs. We also speak in terms of creating conditions which are necessary for the improvement in the quality of life of human beings. Prime Minister Rajiv Gandhi has said in the introduction to India's Seventh Five Year Plan:

"In the final analysis, development is not just about factories, dams and roads. Development is basically about people. The goal is the people's material cultural and spiritual fulfilment. The human factor, the human context, is of supreme value."

His Holiness Pope John Paul II has expressed a similar view and said that people are the subject of true development and the aim of true development is people.

Mr. Chairman, as stated in the Declaration itself, the Right to Development is a human right and equality of opportunity for development is as much a prerogative of nations as of individuals within nations. There are several dimensions to development and when we speak of the Right to Development we speak of it in this multi-dimensional framework. At the national level we try to ensure the fullest possible development of the individual and society as a whole. Similarly, given the inter-dependence of the world today, development at the national level also requires appropriate international conditions and environment. Just as political freedom and social and economic progress are inseparable, peace and development are also indivisible. There cannot be durable peace as long as social and economic disparities between nations continue to widen. Efforts made at the international level to strengthen peace and security would be greatly assisted by the promotion and implementation of the Right to Development. This is why on several occasions we have emphasised the fundamental relationship between disarmament and development. The understanding of this relationship will have a critical bearing on human welfare and destiny. Much of our analysis and actions will remain fragmented until they are firmly rooted in the acceptance of the reality of the relationship between disarmament and development and our understanding of its ramifications.

Mr. Chairman, my delegation considers the dissemination and popularisation of the Declaration on the Right to Development as a task of high priority. We are of the view that it is necessary to create greater awareness of this Declaration. The task of dissemination and popularisation of the Declaration should include the widest distribution of its text in different languages. Furthermore, as regards the implementation of the declaration, national as well as international measures would be necessary for this purpose. We realise that international action is not a substitute for action at the national level. In India we have followed a programme of development which combines democratic rights with the promotion of social and economic justice. This has been the aim of the Indian Constitution as well as of the programmes launched in successive years by the Government of India. Just as we believe in the participation of all nations in the development programmes of the new international economic order, we believe that popular participation of all individuals in national development is indispensable for the realisation of the Right to Development. India's development plans are geared to ensure popular participation in developmental processes at all levels.

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A view is often expressed in certain quarters that implementaton of the provisions of the Declaration is mainly the concern of developing countries. My delegation would like to demur with such a view, for we are convinced that the interests of developing and developed countries converge in this field of activity. It has long been recognised that poverty anywhere is a threat to prosperity everywhere. Increasing global inter-dependence on such issues of universal concern should lead to cooperative and concerted action by the international community and the United Nations has a key role to play in this endeavour.

I would now like to turn to Agenda item 18. The United Nations provides a unique international forum for the formulation of international instruments and enables us to reflect on the situation of human rights in different parts of the world. The Universal Declaration of Human Rights adopted over 40 years ago gave to the world its first universal charter of human rights. Subsequently, it was elaborated and strengthened by two international covenants, viz., the International Covenant on Civil and Political Rights and the International Covenant on the Economic, Social and Cultural Rights. India has ratified both these covenants which embody rights belonging to every human being, and which derive from the inherent dignity of the human person. My delegation would like to stress that it is essential that the two international covenants should become truly universal. We would also like to express the hope that states that have not yet ratified the covenants including

two permanent members of the Security Council will do so and accept the legally binding obligations of these covenants.

Much has been achieved since 1948 when the Universal Declaration of Human Rights was adopted. It has inspired a wide range of international covenants and conventions ranging from the Convention against Racial Discrimination and Apartheid to the Convention against Torture. We also hope for the early adoption of a Convention on the Rights of the Child as well as on Migrant Workers.

However, much more remains to be done. It is a continuous struggle to advance human rights and fundamental freedoms around the world. All affirm that all human beings are born free and equal in dignity and rights, but the execrable system of apartheid has not been abolished. Having agreed that everyone is entitled to the realisation of "the economic, social and cultural rights indispensable for his dignity and the free development of his personality", we need to ask if we have done enough to fight world poverty, hunger and under-development. We would like the Commission to devote its energies to these questions.

I thank you, Mr. Chairman.