

## PRESS RELEASE

**NHRC urged to seek review of the Protection of Human Rights Act**

**New Delhi, 27 August 2010** – The NGOs participating in the release of “2010 Annual Report” of the Asian NGOs Network on National Human Rights Institutions (ANNI) in New Delhi, on 26 August, urged the National Human Rights Commission of India (NHRC) to review its founding law, the *Protection of Human Rights Act 1993*, as it falls short of addressing the tremendous human rights challenges in the country. Mr. K.S. Money, Secretary General of the National Human Rights Commission also participated in the deliberations. The Working Group on Human Rights in India and the UN (WGHR) came together with the All India Network of Individuals and Organisations working on NHRIs (AiNNI) to launch the India section of the 2010 ANNI Report, which evaluates the performance of National Human Rights Institutions in fifteen Asian countries.

Henri Tiphagne, Executive Director of People’s Watch highlighted that the *Protection of Human Rights Act 1993* has not kept pace with the realities of the human rights situation faced in India. He added that the NHRC falls far short of acceptable standards in terms of independence, pluralism, transparency and effectiveness.

Miloon Kothari, Convenor of WGHR and former UN Special Rapporteur, stated that gross human rights violations are increasing across the country. Therefore the need of the hour is a strong and independent NHRC that can address and prevent violations by developing an early warning mechanism. The Commission requires more rigorous investigative and fact-finding capacities on all human rights violations, including in the sphere of economic, social and cultural rights.

Suhas Chakma, Director of the Asian Centre for Human Rights, pointed out that the NHRC has been caught in the cobweb of self-made procedures that only favours the culprits and its failure to comply with specific court orders further made NHRC redundant.

Usha Ramanathan, independent law researcher, in her concluding remarks stated that the NHRC must address critical human rights issues, particularly impunity. Ms. Ramanathan, along with other participants, expressed serious concerns with recent statements of the NHRC’s Chief Justice K.G. Balakrishnan supporting death penalty and encounter killings. That a person who holds such regressive views heads the NHRC is an issue of grave worry.

Mr. Money, the NHRC Secretary General, took note of the panelists’ concerns and expressed the need for change in several areas of the NHRC’s functioning. He welcomed further dialogue between the NHRC and civil society. While the constructive participation of the NHRC in the discussion was appreciated, participants called on the Commission to take a proactive and consultative approach and devise a concrete plan to re-orient its institutional will and capacity towards stronger enforcement of its mandate to protect and promote human rights.

The meeting ended with a resolve of all those present to participate in the preparation of a national civil society report along with AiNNI to be presented when the NHRC presents its periodic application to the International Coordinating Committee of National Human Rights Institutions for re-accreditation next year.

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**The full text of the 2010 ANNI Report can be found at:**

[http://www.pwtn.org/download/ANNI2010\\_FINAL\\_NOBLEED.pdf](http://www.pwtn.org/download/ANNI2010_FINAL_NOBLEED.pdf)

The India section of the 2010 ANNI Report can be found on pages 63 to 80

*The Working Group on Human Rights in India and the UN – a national coalition of fourteen human rights organisations and independent experts – works towards the realisation of all civil, cultural, economic, political and social human rights in India and towards holding the Indian government accountable to its national and international human rights obligations. For information on WGHR, please visit: [www.wghr.org](http://www.wghr.org)*

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