

PERMANENT MISSION OF INDIA TO THE UN, GENEVA

HUMAN RIGHTS COUNCIL 20TH SESSION (18th June to 6 July 2012)

AGENDA ITEM 2: General Debate on Update by the High Commissioner (18 June 2012)

Statement by India

Madam President,

We thank the High Commissioner, Ms. Navanethem Pillay, for her update that provides an informative overview of major human rights developments across the regions, missions undertaken by her office to various countries and initiatives advanced by her office in recent months. We join others in congratulating the High Commissioner for her appointment for a second term, though we would have preferred it to be in conformity with para 2 (b) of UNGA resolution A/RES/48/141 of 20 December 1993.

2. We take positive note of the High Commissioner's continued focus on migration, racism and discrimination, women's human rights and those of older persons and are encouraged by the urgency that she attaches to the protection and fulfillment of economic, social and cultural rights particularly in the context of economic strife and recent political upheavals. We also welcome her attending the upcoming UN Conference on Sustainable Development and wish her a fruitful participation. WE hope she will add weight in the discussions there, to the importance of ensuring equal rights for all human beings, in access to global environmental resources.

Madam President,

3. We appreciate the focus that the High Commissioner has put on the issue of treaty body strengthening and welcome consultations held with States Parties in Sion, Geneva and New York and look forward to her report. Given that the success of treaty bodies lies, in large part, on their ability to elicit cooperation from States Parties, we would like to emphasize that any outcome in this regard needs to ensure

respect for the legal provisions of the treaties agreed to by member states and that States Parties are fully involved in the outcome, as opposed to a *fait accompli* approach, as in the case of the List of Issues prior to Reporting.

4. We take positive note of the call by the High Commissioner for cooperation by Special Procedures with States and vice-versa. While we value and remain supportive of the importance of the Special Procedures that constitute a key mechanism of the Council, it bears reiteration that they must be mindful of the Council resolution 5/2 and Presidential Statement 8/2 that are their sole guides on the Code of Conduct adopted by the Council, as distinct from any other manual or procedures which are internal procedural guidelines, unendorsed by the Council.

5. While we support the High Commissioner's call for commitment of States to provide adequate resources to the OHCHR, we would emphasize the importance of regular sharing of greater information in the management of resources both in terms of its distribution for the specific programmes, Special Procedures and its financial facilities related to manpower. This will demonstrate the objective and transparent functioning of the OHCHR as has been mentioned in the JIU report and by Member States. We endorse the High Commissioner's call for prioritizing the work of the Council that needs to be more consultative. This is essential to make the most efficient use of the limited resources. We remain committed to making the HRC a strong, effective and efficient body capable of promoting and protecting human rights and fundamental freedoms for all in a transparent, cooperative and non-selective manner.

6. Before concluding, Madam President, may I once again express our deep appreciation to you, for your untiring effort and contribution.

Thank you, Madam President.
