

AS DELIVERED

PERMANENT MISSION OF INDIA TO THE UN, GENEVA

**HUMAN RIGHTS COUNCIL
13TH SESSION (01-26 March 2010)**

**AGENDA ITEM 1: Appointment of Special Procedures
(26th March 2010)**

Statement by India

Mr. President,

Following the appointment of Special Procedures mandate holders, we would like to make the following statement:

We reiterate the concern expressed in the Organisational Meeting of the Council on 18 February 2010 on the need to abide by both the letter and spirit of the relevant provisions of the Institution-Building (IB) package in the appointment of Special Procedures.

02. Paragraph 47 of the IB package obliges the Consultative Group, constituted at the beginning of each cycle of the Council, to submit its recommendations to the President of the Council at least one month *before* the beginning of each Council session, to enable the President to hold broad consultations. Further, paragraph 52 requires the President to present to the Council members and observers the list of proposed candidates at least two weeks *prior* to the beginning of the Council session in which the Council will consider the appointments.

03. While we appreciate the exceptional circumstances in this case, the work being done by you and the Consultative Group and recognise the various constraints, we would request that the provisions of the IB package with regard to the appointment of Special Procedures be adhered to scrupulously and complied with strictly. And we join the consensus today with the understanding that the delay in meeting the deadlines in the present case would not constitute a precedent for future appointments.

PLEASE CHECK AGAINST DELIVERY

04. We welcome all the newly appointed mandate-holders. We would like to remind them that, as independent and impartial experts, they carry out a task not only highly prized by the Council, but also in accordance with the mandate given by the Council. To this end, they must be mindful of the Council resolution 5/2 and Presidential Statement 8/2 that are their sole guides on Conduct *adopted* by the Council, as distinct from any other manual or procedures which are internal procedural guidelines, not endorsed by the Council. We wish them the best in the execution of their mandates.

Thank you, Mr. President.
