

# **PERMANENT MISSION OF INDIA TO THE UN, GENEVA**

## **HUMAN RIGHTS COUNCIL**

**20<sup>TH</sup> SESSION (18<sup>th</sup> June to 6 July 2012)**

### **AGENDA ITEM 5: Human Rights Bodies and Mechanisms**

**(General Debate)**

**(28 June 2012)**

#### **Statement by India**

Madam President,

As a democratic, pluralistic and a secular polity, India attaches great importance to the Human Rights Council, its bodies and mechanisms. In this regard, we would like to draw special attention to the system of Special Procedures and align ourselves with the Statement made by the Russian Federation on Special Procedures.

2. As independent and impartial experts, Special Procedures carry out a task highly prized by the Council. It is in recognition of this that India has extended Standing Invitation to the Special Procedures. This year itself India has received a Special Rapporteur and is actively considering more visits later in the year. India is also among the countries with the highest number of visits by Special Rapporteurs in the last five years.

Madam President,

3. The term Special Procedures does not suggest appointment of Special Procedures for violators of particular thematic rights rather the objective is to allow for a broad development of a thematic issue with references to trends of evolution rather than incidence of violations. To this end, Special Procedures must be mindful of Council's 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.

4. We are concerned at the tendency by some mandate holders to disregard the provisions of the Code of Conduct. In this regard, we would like to highlight that Special Rapporteurs must ensure that concerned Governments are the first recipients of their conclusions and recommendations concerning the State and are given adequate time to respond, in particular in their Public Statements concerning allegations of human rights violations, they must indicate fairly, responses given by the concerned States.

5. The selection process of mandate holders must be transparent and the provisions of the IB Package in Resolution 5/1 and Resolution 16/21 must be adhered to scrupulously and complied with strictly. The need for more equitable geographic representation must be taken into account while appointing Special Procedures in order to provide a more balanced, broader and nuanced perspective.

6. We recognize that financial constraints limit the proper functioning of Special Procedures and in this respect would like to stress on the necessity of funding from regular budget and the need for adequate and equitable allocation of financial and manpower resources to all mandate holders through an objective, transparent and accountable process. This should be in accordance with the provisions of Resolution 16/21 on resources and funding of Special Procedures. We support the work of the Special Procedures and their independence and affirm that such independence must be absolute in every sense – including from over-activist NGOs, donors and ideological extremism.

7. In conclusion, Madam President, we would continue to engage constructively with the Special Procedures in our efforts to uphold the high standards in the promotion and protection of human rights for our citizens.

Thank you, Madam President.

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