

STATEMENT BY MR. ARUNA KUMAR VUNDAVALLI, MEMBER OF PARLIAMENT AND
MEMBER OF THE INDIAN DELEGATION, ON AGENDA ITEM 65: REPORT OF THE
HUMAN RIGHTS COUNCIL AT THE THIRD COMMITTEE OF THE 62ND SESSION OF
THE UNITED NATIONS GENERAL ASSEMBLY ON NOVEMBER 05, 2007

Mr. Chairman,

My delegation would like to thank the President of the Human Rights Council (HRC) for his statement under the agenda item 65 titled "Report of the Human Rights Council".

We welcome the decision of the UN General Assembly (UNGA) to allocate agenda item titled 'Report of the Human Rights Council' to the Third Committee. As the HRC is a subsidiary body of the UN General Assembly, it is natural that all its reports and recommendations be transmitted to the GA Plenary through the Third Committee, where the expertise on human rights issues resides. We are, however, conscious of the delay that may occur in consideration of the Report if it is to be referred to the Third Committee, given the different schedules of the two bodies. This calls for flexible functioning of the Third Committee so that the Report of the HRC is considered in a timely manner in New York. This aspect should be examined while formalizing reporting arrangements between the HRC and the UNGA. Attempts to trivialize this issue by stating that the HRC is a subsidiary body of the General Assembly, but not of the Third Committee, may not advance the goal of ensuring an effective Council. Our streamlining efforts should also look at avoiding duplication in reporting and presentation of reports by the Special Rapporteurs and other mechanisms of the HRC.

Mr. Chairman,

Since its inception in June 2006, the HRC has had multiple tasks to complete. Apart from devising an institutional framework, it was actively involved in evolving a new Universal Periodic Review (UPR), and also in reviewing, improving and rationalizing all mandates, mechanisms, functions and responsibilities of the former Commission on Human Rights. In addition, it had to consider pressing human rights situations, thus making its functioning more complicated during the first year.

We commend the Human Rights Council for accomplishing a multitude of complicated tasks, in particular adoption of the institution-building package in June

this year. By holding six regular sessions and five special sessions, the HRC has also demonstrated its ability to swiftly react to human rights emergencies.

The Council devised the Universal Periodic Review mechanism vide its resolution 5/1, which we believe has the potential to inculcate a spirit of cooperation and dialogue in the work of the HRC. The stage is now set for the launch of the UPR mechanism in 2008 with the finalization of countries to be reviewed in the first three cycles. The UPR mechanism is a cooperative mechanism, with an emphasis on objective and transparent assessment of human rights situation in a country, sharing of best practices, and provision of technical assistance and capacity-building in consultation and with the consent of the country concerned. We also recognize that the UPR mechanism is evolving, and that the Council should review its modalities based on best practices and lessons learned. We are happy that India, a founding member of the Council, would be reviewed during the first cycle in early 2008.

Mr. President,

As regards the review and rationalization of the Special Procedures, some progress has been made by way of holding interactive dialogue with these procedures and with the renewal or discontinuation of some of them. There is, however, a lot more to be done. We are cognizant of the time constraints of the Council, and also the complex nature of the task. The Council should expedite the process of review and rationalization of the Procedures to meaningfully address the areas of duplication as well as gaps hitherto unaddressed. A significant achievement of the Council has been adoption of the resolution 5/2, which delineated a 'Code of Conduct' for its Special Procedures mandate-holders. We hope that this would significantly improve impartiality and objectivity of the mandate-holders, while allowing them to maintain their independence in discharge of their mandates and also making them more accountable to the Council.

A spirit of cooperation and mutual understanding should guide the work of the Human Rights Council. It should continuously strive to promote human rights through international cooperation and genuine dialogue among Member States, including capacity-building and mutual assistance. We would also like the HRC to emerge as an important forum for voluntary participation and sharing of national experiences and best practices in promotion and protection of all human rights and fundamental freedoms.

We are encouraged by the efforts of the HRC to translate the Right to Development into a reality. Discussions on the Right to Development are gradually moving away from the realm of theory and principles into design and implementation of policies, leading to its realisation. In this connection, we note the significant contribution of the Working Group on the Right to Development. The three-phased roadmap outlined by the Working Group for developing and refining criteria for periodic evaluation of the global partnership for development as contained in Millennium Development Goal (MDG) 8, is a significant step forward.

Mr. Chairman,

India remains committed to working to make the Human Rights Council a strong, effective and efficient body capable of promoting and protecting human rights and fundamental freedoms for all.

Thank you, Mr. Chairman.

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