



STATEMENT BY MR. SHATRUGHAN SINHA, MEMBER OF PARLIAMENT AND
MEMBER OF THE INDIAN DELEGATION, ON AGENDA ITEM 68: HUMAN RIGHTS
COUNCIL REPORT AT THE 61ST SESSION OF THE UN GENERAL ASSEMBLY ON
NOVEMBER 10, 2006

Madame Chairperson,

My delegation thanks the President of the Human Rights Council for forwarding the Report of the Human Rights Council. We convey our appreciation to him for steering the work of the Council in an effective and efficient manner. My delegation also conveys through you, Madame Chairperson, to the President of the Council our full support in his endeavours.

At the outset, we would like to express our satisfaction over the decision adopted by the UNGA on consideration of the Report of the Human Rights Council. As the HRC is a subsidiary body of the UN General Assembly, it is natural that all reports and recommendations of the HRC be transmitted to the GA Plenary through the Third Committee, where the expertise on human rights issues resides. However, we are conscious of the delays that may occur in consideration of the Report if it were to be referred to the Third Committee in its totality, given the different schedules of the two bodies. We also recognise that the HRC began functioning since June 2006, and hence there is a need to adopt a flexible approach during the first year, and to formalize the reporting arrangements between the UNGA and the HRC based on our experience over the next year.

Madame Chairperson,

The creation of the new Human Rights Council by the UN General Assembly reflects the collective resolve and commitment of the Member States to constantly adjust and improve the framework for addressing human rights challenges. It remains our expectation that the new body in its work would be guided by the spirit of cooperation and mutual understanding. We hope the HRC would evolve an even-handed approach in its promotion and protection of all human rights and translate the Right to Development into a reality. It should

promote human rights through international cooperation and genuine dialogue among Member States, including capacity-building and mutual assistance, and emerge as a forum for voluntary participation and sharing of national experiences and best practices in promotion and protection of all human rights and fundamental freedoms.

Madame Chairperson,

The UNGA resolution establishing the Council defined the broad parameters of the Council's architecture. It also mandated the Council to develop the modalities of its new mechanisms within one year. The Council is also required to improve and rationalise all mandates, mechanisms and functions and responsibilities of the former Commission on Human Rights.

The HRC has so far held two regular and two special sessions. As we note from the Report, the Council has set up two inter-governmental Working Groups to devise Universal Periodic Review mechanism and to undertake the review and rationalisation of mandates and mechanisms of the former Commission on Human Rights. Meanwhile, the Council has taken interim decisions to facilitate uninterrupted functioning of the existing mandates during the transitional period. The Council also took action on substantive human rights issues, most notably its recommendations to the UNGA on the adoption of the Declaration on the Rights of Indigenous Peoples and the International Convention for the Protection of All Persons from Enforced Disappearance. We note with satisfaction that the mandate of the Working Group on the Right to Development has been extended by one year. Further, by holding two special sessions, the HRC has demonstrated its ability to swiftly react to human rights emergencies.

We remain conscious of the enormous challenges ahead of the HRC in defining and operationalising its architecture. Some progress in this regard has already been made within the framework of informal meetings of the two Working Groups. However, a lot remains to be done and therefore the focus of the Council's work during the remainder of the year should be on institution-building. The success of the Human Rights Council would, to a large extent, depend on the outcome of these processes.

Madame Chairperson,

India had actively and constructively participated in the multilateral negotiations that led to the establishment of the new Human Rights Council. We remain committed to continue to work 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, Madame Chairperson.

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