

**UNGA**  
**71<sup>st</sup> Session Third Committee**  
31 October 2016

**Agenda Item 68 :**

- [a] 'Promotion and Protection of Human Rights'**
- (b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms**
- (c) Human rights situations and reports of special Rapporteurs and representatives**

**Madam Chair,**

We thank the Secretary General and the Special Rapporteurs for their informative reports under the Agenda item 'Promotion and Protection of Human rights'.

**Madam Chair,**

2. The HRC Special Procedures are an important part of the UN Human Rights machinery for strengthening constructive engagement with member states on diverse human rights issues. To begin with we wish to make some general comments on their overall work.

3. First, we wish to reiterate the need for mandate holders to remain truly independent, impartial and carry out their tasks in conformity with their mandates and the Code of Conduct as stipulated in HRC Resolution 5/2.

4. Second, their efforts should be aimed at promoting genuine dialogue for strengthening national capacities. Member states can benefit from their work if their recommendations are specific to their mandates, be constructive and relevant to different country contexts and not ideologically driven or confrontational.

5. Third, despite HRC resolution 5/1 calling for equitable geographic representation and appropriate representation of different legal systems in the selection of Special Procedures, nearly half of the thematic mandate holders continue to be from one region. Ensuring geographic, professional and cultural diversity among Special Procedures is fundamental to understand diverse country contexts and will only enrich their overall work.

6. Fourth, we note with concern the growing reliance on voluntary contributions and earmarked funding to support the Special Procedures system. Earmarking often results in privileging some mandates over others and can have an adverse impact on their perceived independence. The need for full transparency in the funding of the special procedures was underscored in UNGA Resolution 65/281 (para 34) that reviewed the functioning of the Human Rights Council. All mandate holders should receive equitable financial and professional support through a transparent process. Measures that address risks of potential conflict of interest and ensure full disclosure of the funding received and its utilization will reinforce Member States trust and confidence in the Special Procedures system.

**Madam Chair,**

7. Human rights are universal and are supposed to unite us. However, the UN machinery we have created to promote human rights seems to be only dividing us. Increasing tendency to use human rights as political tools, indulgence in selective naming and shaming of countries and imposition of intrusive monitoring is undermining the credibility of the human rights system, further polarising Member States and deterring cooperation with the country concerned.

8. We wish to emphasise that human rights issues cannot be approached in isolation. Neither is there any one single approach to human rights. Ignoring the complex and intricate relationship between human rights, development, democracy and international cooperation would be counterproductive. Our collective efforts should focus on promoting genuine dialogue and strengthening national capacities without attaching any external conditionality or ideological prescription. Special Procedure mandate holders also have a specific responsibility in this regard.

**Madam Chair,**

9. We wish to now highlight some specific crosscutting issues that deserve greater attention of all the mandate holders.

10. The realization of the Right to Development is an essential driver for the enjoyment of all other human rights. It informs the Agenda 2030 and is crucial for the achievement of SDGs. All mandate holders as well as other UN agencies should give particular attention to this fundamental right and mainstream its promotion in their respective activities. As we celebrate the 30<sup>th</sup> anniversary of the UN Declaration on the Right to Development, we should show a sense of urgency to advance the normative and practical underpinnings of the Right to Development.

11. In this context, we welcome the establishment of the new mandate of the Special Rapporteur on the Right to Development. We believe that the new mandate will complement the Working Group on Right to Development and also contribute to strengthening the global partnership to achieve SDGs from a right to development perspective.

**Madam Chair,**

12. The Agenda 2030 explicitly recognizes that eradicating poverty in all its forms and dimensions is the greatest global challenge. Poverty undercuts the basic premise of human rights. There is no point in pursuing freedom from fear without achieving freedom from want. Special Procedures have a moral and legal obligation to strengthen national and international accountability for eliminating poverty in a time bound manner.

**Madam Chair,**

13. Terrorism has emerged as the fundamental challenge to the full enjoyment of all human rights. International community can no longer afford taking half measures against terrorism. Special Procedures should contribute to upholding the human rights obligations of all Member States in eliminating any direct or indirect support to terrorists and their proxies.

**Madam Chair,**

14. Finally, as the Secretary General's report on globalization and human rights again highlights, it is the developing countries, which continue to disproportionately bear the costs of globalization without receiving its benefits in an equitable manner. Special procedures should work to promote policy coherence in Member State's positions on issues related to trade, finance, investment and intellectual property that having a direct bearing on realization of human rights in developing countries. A fair and equitable international environment for the promotion of human

rights is only possible if developing countries can participate in global economic decision making and norm setting on an equal footing with the developed countries.

**Madam Chair,**

15. We wish to conclude by emphasizing that our foremost priority is to ensure rapid, sustainable and inclusive development to achieve full realization of all human rights for all our people. All our efforts in this endeavor are rooted in fundamental human rights principles and we remain committed to uphold and pursue higher norms and standards in further advancing the promotion and protection of human rights at domestic and international level.

I Thank You.