



Statement by India at the 39th Session of the Human Rights Council (September 10 to 28, 2018) under the agenda item 5 during the Interactive Dialogue on the Secretary General's report on Reprisals delivered by dr. Vishnuvardhan Reddy, Deputy Secretary, Government of India [Geneva, 19th September 2018].

Mr President,

India firmly believes that access to and communication with the UN is important for its effective functioning. Reprisals and intimidation for cooperating with UN and its mechanisms in the field of human rights are unacceptable. They must be effectively addressed.

2. We are proud to have a vibrant and vocal civil society. A large number of NGOs and civil society representatives from India continue to actively take part in every session of the Human Rights Council and speak freely under various agenda items. This is a testimony to the importance and value we attach to their engagement with the UN.

3. We support the role of Special Procedures and Treaty Bodies in addressing allegations of reprisals. However, as the HRC resolution 36/21 stresses, it is their responsibility to ascertain that the cases that are brought to their attention are credible. The information provided to them should be thoroughly checked and corroborated. They should respect ongoing judicial proceedings under applicable national laws and bear in mind that in a democracy the 'rule of law' applies equally to all. The mere claim of cooperating with UN cannot be used as an alibi by any person to be treated otherwise. Abiding by these principles will only help maintain their objectivity and neutrality and enable them to constructively engage with the country concerned.

4. We wish to highlight that there are no agreed procedures to examine the alleged cases listed in the SG's report and establish the facts. In such a scenario, any dialogue on alleged cases can be counterproductive and only lead to politically motivated debates and finger pointing.

5. We hope the Council does not allow the serious issue of reprisals to be politicised further. Challenges at all levels should be addressed in a balanced

manner in the spirit of cooperation and genuine dialogue. The focus should be on capacity building of Member States. India remains committed to ensuring a safe working environment for people engaged in the promotion and protection of human rights and also facilitate their legitimate activities.

Thank you Mr President.
