

**GOVERNMENT OF INDIA
MINISTRY OF EXTERNAL AFFAIRS**

**LOK SABHA
UNSTARRED QUESTION NO.1701
TO BE ANSWERED ON 27.07.2016**

REPORT ON MINORITY ISSUES

1701. SHRI E. T. MOHAMMED BASHEER:

Will the Minister of EXTERNAL AFFAIRS be pleased to state:

- (a) whether UN human rights council has made a report titled “Report of the Special Rapporteur on minority issues” and India’s permanent representative to the UN have allegedly dismissed the report; and**
- (b) if so, the salient features of this report pertaining to India and the reasons of our representative in the UN for dismissing it?**

ANSWER

**THE MINISTER OF STATE IN THE MINISTRY OF EXTERNAL AFFAIRS
(SHRI M. J. AKBAR)**

(a) & (b) The Report by the Special Rapporteur (SR) of the United Nations Human Rights Council (UNHRC) on minority issues Ms. Rita Izsak was tabled under Agenda item 3 pertaining to promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development during the 31st Session of UNHRC held from 29 February to 24 March, 2016. The report provided an update of SR’s activities during 2015 and included thematic analysis on the topic of minorities and discrimination based on caste and analogous systems of inherited status. India made an intervention during the interactive dialogue with the SR on minority issues held on 15 March, 2016 which is placed at the Annex.

**PERMANENT MISSION OF INDIA
GENEVA**

**31st SESSION OF HUMAN RIGHTS COUNCIL
(29 February-24 March 2016)**

**Agenda Item 3: Interactive Dialogue with SR on Minority Issues
[1800-2100 hrs; Tuesday, 15th March 2016]**

Intervention by India

Mr. President,

We have seen the report of the Special Rapporteur on minority issues.

2. My delegation would like to raise some questions on this matter relating to the fundamental point of, what we consider, a breach of the SR's mandate. The mandate of the SR, as detailed in OP 11 of HRC Resolution A/HRC/25/5, clearly spells out the categories of minorities to be covered under this mandate.

3. It would have been preferable for the SR to take the guidance of the relevant resolutions that led to the establishment of the SR's mandate rather than to seek to extend it. Despite the SR's own acknowledgement of the weakness of this aspect, the SR has gone ahead to make a series of sweeping judgments. The justification provided is that the choices made share "minority-like characters". This is a questionable proposition, because in some context or the other all categories of persons could well be classified as minorities, and hence, is there any section of society over which the SR's mandate will not be applied? If we thus create incentives for each SR to go beyond the mandates set out and seek to reinterpret them, this creates the potential for calling into question the seriousness of the work of this Council. This approach, in our view, is best avoided.

Mr. President,

4. The publication of this report provides us with an opportunity to address the crucial issue of role and responsibility of UN Special Procedures mandate holders. We believe that any attempt to completely disregard the agreed procedures and mandates carries a serious risk of undermining the credibility of the UN Special Procedure system itself, and this should be avoided.

I thank you, Mr. President.
