

Statement by Ambassador Bhagwant Singh Bishnoi, Deputy Permanent Representative of India to the United Nations after vote on the draft resolution on "Situation of Human Rights in DPRK" in the Third Committee at the 69th Session of the UNGA on 18th November, 2014

Madam Chair,

We have voted in favour of the amendment moved by Cuba on OP7 and OP8. We have abstained in the vote on the resolution as a whole.

One of the main reasons for India having being unable to sign the Statute of the International Criminal Court was that this Statute does not allow the Court to be free from political influence. It also gives the Security Council a role that violates international law. The Security Council has the power to refer, the power to block and the power to bind non-States Parties. All three are undesirable. Under the Law of Treaties, no State can be forced to be bound by the provision of the Treaty it has not accepted. By providing this power to the Security Council the Rome Statute violates a fundamental principle of international law. Even more, invidious is that it gives non-States Parties, working through the Council, the power to bind other non-States Parties. For us this is indefensible.

Madam Chair,

OP7 and OP8 of the original draft represent the very reasons that came in the way of our joining the Rome Statute. We have, therefore, chosen to vote for the amendment that would replace these two paragraphs with another construct.

Madam Chair,

It is unfortunate that matters relating to human rights have been taken to a vote. The United Nations should provide the venue for dialogue and cooperation, and not for confrontation. Given the circumstances, we have had no option but to abstain.

Thank you.
