**Comments of NHRC, India on “Contributions to the 2nd Forum on Human Rights, Democracy and the Rule of Law requested by Human Rights Council Resolution 34/41”**

This is regarding the suggested topics to be discussed during the second session of Forum on Human Rights, Democracy and the Rule of Law scheduled to be held from 22 - 23 November 2018 at Geneva. The theme of the second session of the Forum is stated to be “***Parliaments as promoters of human rights, democracy and the rule of law*”.**

2. Although ensuring human rights is a shared responsibility of Parliament, Executive and Judiciary, the Parliament has the most important role to play as it is the wing that makes laws. The Judiciary in every country has an obligation and a Constitutional role to protect Human Rights of citizens and judicial independence which is an integral part of democracy is of paramount importance. National human rights institutions (NHRIs) are valuable and essential partners in the task of protecting and promoting human rights at the national and regional levels. Thus, there is an inter-dependent and complimentary roles that the Parliaments, Judiciary and National Human Rights Institutions play in the promotion and protection of human rights.

3. In this connection, it may be pointed out that, in 2012 an International Seminar on the relationship between National Human Rights Institutions (NHRIs) and Parliaments was organised by the Office of the United Nations High Commissioner for Human Rights, the International Coordinating Committee of National Institutions for the promotion and protection of human right, the National Assembly and the Protector of Citizens of the Republic of Serbia, with the support of the United Nations Country Team in the Republic of Serbia. The outcome principles of this Seminar are called Belgrade Principles. Principles 41, 42, 43 and 44 thereof pertain to monitoring the Executive’s response to Court and other judicial and administrative bodies’ judgments concerning human rights. These principles are quoted below:

“41) Parliaments and NHRIs as appropriate should co-operate in monitoring the Executive’s response to Judgments of Courts (national and, where appropriate, regional and international) and other administrative tribunals or bodies regarding issues related to human rights.

42) NHRIs should monitor judgments against the state concerning human rights, by domestic, regional or international courts, and where necessary, make recommendations to Parliament about the appropriate changes to law or policy.

43) Parliaments should give proper consideration to NHRIs recommendations about the response to human rights judgments.

44) Parliaments and NHRIs as appropriate should encourage the Executive to respond to human rights judgments expeditiously and effectively, so as to achieve full compliance with human rights standards.”

4. It is submitted that it may be appropriate to suggest the topic “**Parliament and Independent Judiciary – pre-requisites for protection of human rights, democracy and rule of law”**  for discussion at the forthcoming meeting of the Forum on Human Rights, Democracy and the Rule of Law being held in November 2018.

\_\_\_\_\_\_\_\_\_