



**Statement by Deputy Permanent Representative of Sri Lanka to the United Nations in Geneva, Dayani Mendis, at the 42nd Session of the Human Rights Council - 11 September 2019**

Mr. President,

We would like to refer to the follow-up report of the Working Group on enforced or involuntary disappearances on the implementation of the recommendations made after its visit to Sri Lanka in 2015.

Mr. President,

Sri Lanka received the Working Group on enforced or involuntary disappearances in November 2015. It was as part of the Government's policy of open and constructive engagement with all UN human rights mechanisms, an approach that was further manifested only a month after the Working Group's visit, when Sri Lanka extended a standing invitation to all special procedure mandate holders in December 2015. We are pleased to note that, in keeping with this policy, since 2015, Sri Lanka has received 10 UN special procedure mandate holders, with one more visit scheduled for October this year.

The implementation of many of the actions recommended by these mandate holders, as oriented to our national priorities, has been in the forefront of Sri Lanka's path towards reconciliation, development and protection and promotion of human rights in the past few years. This could be noted from the status of implementation by Sri Lanka of a number of recommendations of the Working Group.

Without attempting to repeat the updates already provided by the Government in writing, let me briefly highlight the salient points of the progress made by Sri Lanka in this area, within a short time span of only 4 years:

- In December 2015, less than 1 month after the Working Group's visit, Sri Lanka signed the International Convention on the Protection of All Persons from Enforced Disappearance. Following the ratification of the Convention in May 2016, a robust national law, which not only incorporates the provisions of the Convention to the domestic law but also enhances certain protections afforded under the Convention, was enacted by the Sri Lanka Parliament in March 2018. This legal framework serves as the cornerstone for guaranteeing the non-recurrence of and accountability for any act of enforced disappearance in the future.

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- In June 2018, the Government of Sri Lanka entered into an agreement with the International Committee of the Red Cross (ICRC), enabling them unrestricted access to all places of detention, a facility likewise afforded to the Human Rights Commission of Sri Lanka.
- An independent Office on Missing Persons (OMP) was established in 2016 and fully operationalized in 2018. As of today, the Office has established 3 regional offices in addition to its office in Colombo, the latest being in Jaffna in August 2019. All outstanding cases received from the Working Group have also been shared with this independent mechanism, for action as per its mandate.
- An Office for Reparations was established in October 2018 and operationalized this year, to make individual and collective reparations to victims of serious violations of human rights or humanitarian law and to their relatives.
- The issuance of Certificates of Absence in lieu of death certificates has been facilitated through a legislative amendment, enabling the families of the disappeared to access certain facilities that would be in the name of the disappeared.
- In accordance with the OMP's recommendation in its interim report, the Government has approved the grant of a monthly allowance of Rs. 6000 to families of the missing with a certificate of absence, from October 2019.
- A sum of Rs. 500 million is to be allocated in the 2019 Budget to support families of the missing and disappeared persons.

Mr. President,

The achievements we have just enumerated have been the outcome of measured but steady national processes that involved extensive consultations with all stakeholders, drafting of new legislation, and formulation of new policies. Our national commitment and resolve to make continued progress remain strong despite constraints. The Constitution of Sri Lanka which comprises the 19<sup>th</sup> Amendment, which has created several independent institutions as checks and balances on the use of state power, and the laws of the country, inform and underpin actions and decisions of the different arms of the State. Rule of Law has been further strengthened by the recent decisions of the higher judiciary.

As we proceed on our path, we urge this Council to accord due recognition to these gains made by Sri Lanka amidst numerous challenges, including a spate of terrorist attacks that claimed the lives of many hundreds of innocent Sri Lankans as well as foreigners on Easter Sunday this year and that has compelled Sri Lanka to realign its immediate priorities.

It is important to underscore, however, Sri Lanka's commitment to principles enabling the proliferation and protection of human rights for all its citizens, even as we face numerous challenges in the post-Easter Sunday context.

Mr. President,

The aforementioned provides for the extent to which Sri Lanka accords import to the protection and promotion of human rights. Sri Lanka's progress in this respect, despite the many challenges that arose over the past few years, manifests the strong commitment that Sri Lanka has maintained, and continues to maintain, in the furtherance of the practices that ensure human rights for all.

I thank you.

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