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Sri Lanka rejects High Commissioner Pillay's call "to establish an international inquiry mechanism"

The Government of Sri Lanka (GOSL) has rejected the call by UN High Commissioner for Human Rights Navanethem Pillay's "to establish an international inquiry mechanism to further investigate the alleged violations of IHRL and IHL and monitor any domestic accountability process in Sri Lanka", saying "it gives scant or no regard to the domestic processes ongoing in Sri Lanka within the framework of the LLRC NPOA, and is politicized in premise". The government said, the trajectory that has emerged with regard to the recommendation of the High Commissioner "reflects the preconceived, politicized and prejudicial agenda which she has relentlessly pursued with regard to Sri Lanka", since just a week following the defeat of terrorism in Sri Lanka, on 26th May 2009 at the 11th Special Session of the UNHRC on Sri Lanka, and at subsequent sessions and reports. It is noted that the reference in the current report that "the High Commissioner remains convinced" for an "independent, international inquiry" demonstrates her persistent efforts against Sri Lanka. Sri Lanka said, "it is pertinent to question the factual basis for the High Commissioner's initial formal call to the HRC for an independent, international investigation in May 2009 and its continuation, in order that the international community not be misled".

GOSL made these observations in "comments" submitted to the draft report of the High Commissioner on 12 February 2014, ahead of the High Commissioner's(HC) final report on Sri Lanka to the 25th Session of the UN Human Rights Council (HRC) which was placed on the OHCHR website today (24 February 2014).

Although on the last occasion when the HC reported on Sri Lanka to the 22nd Session of the HRC in March 2013, GOSL's "comments" were placed as an addendum to the report, ensuring the integrity of the HC's report and the GOSL comments, and also that they were equally visible, the GOSL's request this year that its comments be published as an addendum to the HC's Report has been refused, and have instead been placed at a separate link under "Communications from Governments" which contains an assortment of correspondence from governments on a broad range of matters of specific concern to respective governments.

In its "comments" GOSL noting its "non-recognition and categorically rejected of resolution 22/1 that mandated the HC's report", observes that "it has nevertheless continued to make significant progress in its own reconciliation process, and has continued to regularly update the Council on such progress. In this context, GOSL rejects, without prejudice to its position of non-recognition of resolution 22/1, the High Commissioner's claim that most of the recommendations made in her previous report to the Human Rights Council remain unimplemented". GOSL has also "reiterated its categorical rejection of the conclusions and recommendations contained in the HC's Report, which reflects bias and is tantamount to an unwarranted interference in the internal affairs of a sovereign State".

In its detailed point by point "comments" on the HC's report, GOSL has regretted that "the HC had raised concerns regarding a range of issues based on information of questionable veracity and arrived at conclusions in a selective and arbitrary manner". It added that this included many she had raised during her August 2013 week long visit to Sri Lanka, "where the GOSL had requested the High Commissioner to provide factual evidence to substantiate allegations" and "to refrain from making general comments without a degree of specificity which would allow the GOSL to investigate and respond in a comprehensive manner", which however had not been forthcoming.

The full text of GOSL's "comments" on the HC's draft report submitted to the OHCHR is attached.

Geneva
24 February 2014