

**The right of reply of the delegation of Sri Lanka at the general debate on
Item: 4 of the agenda of the HRC**

Mr. President,

My delegation wishes to respond to some of the comments made on Sri Lanka during the general debate on Item 4 of the agenda of this Council.

With regard to issues raised on ~~journalists~~^{the} ~~journalists~~ impinging on freedom of expression, the offence of criminal defamation has been repealed from the Penal Code and the recent relaxation of the Emergency regulations has rolled back some of the provisions on publications. of journalists

I wish to state that in order to manifest the Government's commitment towards the protection of journalists, the President exercising his executive powers under the Constitution has recently pardoned a journalist who had been imposed with judicial sanctions for raising feelings of disaffection in the community.

With regard to disappearances and extra-judicial killings, my delegation wishes to point out that the number of such cases had sharply decreased. The mandate of the Lessons Learnt and Reconciliation Commission also includes investigation of and reporting on these aspects.

It is significant to note that no incident of extra judicial killing has been reported in recent times. If and when there is evidence of such allegations, the government will pursue the perpetrators.

With regard to the issue of emergency laws, in the backdrop of peace and normalcy returning to the country, the Government has taken steps to roll back a substantial segment of the Emergency Regulations. In this context, in my earlier interventions at this Council, I have adverted to many of the salutary provisions of the new amendments to the Emergency regulations. The roll back of the Emergency Regulations at this juncture is only the beginning of a process which will be continued as and when the ground conditions become conducive to their further relaxation.

On the reference to the ICRC, the mandate of the ICRC is being redefined in the context of the conflict situation coming to an end. A draft framework agreement, which includes the issue of access, was received by the Government in March this year and is being given due consideration.

On the Commission on Lessons Learnt and Reconciliation, when a sovereign State emerges from conflict situations a domestic mechanism that takes cognizance of the needs of its citizens towards reconciliation among its people has always been the preferred method of taking stock of the past and ensuring an onward journey towards unity and prosperity.

In keeping with this norm, Sri Lanka has established a Commission on Lessons Learnt and Reconciliation which is to commence its work shortly. The Commission has been mandated, inter alia, to make recommendations with a view to ensuring national unity and reconciliation. Its independent composition is multi-ethnic and multi-religious and reflects the multi cultural polity of Sri Lanka. The domestic mechanism's Warrant clearly provides for the identification of direct or indirect responsibility, which would hold perpetrators, if any, accountable for past violations. May I reiterate our commitment in this regard by stating that the Government of Sri Lanka has consistently upheld and established a domestic mechanism for transitional justice, rather than one with an international complexion, which would impinge on the very sovereignty that was under threat for nearly three decades. Let us tread cautiously and with patience without prejudging the outcome even before it has begun its work. My delegation would strongly urge that we be given every encouragement to ensure that we succeed in this national endeavour that would assure Sri Lanka a lasting peace.

Thank you.