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Statement by the Delegation of Sri Lanka during the Interactive Dialogue with the Chairperson with the Working Group on Enforced or Involuntary Disappearances, and Special Rapporteur on human rights of IDPs

16th Session of the UN Human Rights Council, 7 March 2011

Mr. President,

My delegation has taken note of the report of the Working Group on Enforced or Involuntary Disappearances submitted to this Session.

Sri Lanka maintains a close dialogue with the Working Group through regular contacts with its Secretariat and interacting with its members during their meetings in Geneva. My delegation appreciates the cooperation and support we have received from the Working Group and its Secretariat in these efforts.

Until the reconstitution of the Human Rights Commission last week, the Sri Lanka Institute of Information Technology (SLIT) has been maintaining a database of missing persons, which was created by the Rehabilitation of Persons, Properties and Industries Authority (REPPIA). This database will soon be placed in the custody of the national Human Rights Commission. In a project with the UNDP, the Human Rights Commission and the Ministry of Defence seeks to reconcile this database with that compiled by the UNDP project. The information contained in these databases will therefore be an integral part of a project that is aimed at reconciling the reports or cases of alleged disappearances.

Mr. President,

The government, taking serious note of the need to reconcile the cases of disappearance has put in place the Registration of Deaths (Temporary Provisions) Act No 19 of 2010, taking cognizance of the spirit of the Convention. This piece of legislation prescribes the procedure for issuing of death certificates to the next of kin of those alleged to have been killed in a host of causes. In terms of this Act, any person reported missing and his whereabouts unknown for a period exceeding one year, by those who would naturally have heard of him had he been alive, and his disappearance is attributable to any terrorist or subversive activity or civil commotion, the next of kin of such person if he verily believes such person to be dead, may apply to register the death of such person under the provisions of the Birth and Death Registration Act and to have issued to him a certificate of death of such person.

There is also another procedure for the issuance of a death certificate where a commission such as the Lessons Learnt and Reconciliation Commission (LLRC) or a special commission of inquiry files a person has disappeared or is missing, the next of kin of that person can apply to the Registrar-General or to the District Registrar, to register the death and to issue him with the death certificate.

With regard to the recent cases that were communicated to the Government by the Working Group, every effort is being taken to investigate these complaints with a view to establishing initially their veracity.

Mr President,

My delegation wishes to thank the Special Rapporteur on human rights of IDPs for his report. We note the priorities identified by the current mandate holder to address these challenges through a normative framework based on the existing Guiding Principles of Internal Displacement.

As the Council is aware, the conclusion of the terrorist conflict in Sri Lanka brought forth the challenge of caring for and resettling approximately 300,000 IDPs. In this context, Sri Lanka has maintained constructive engagement with the mandate of human rights of IDPs over the past years and provided the Council regular updates on the situation with regard to internally displaced persons in Sri Lanka.

At present there are only 12,000 IDPs remaining in 3 welfare villages in Vavuniya and Jaffna, who would be resettled in their homes on completion of the demining operations. The UN has commended Sri Lanka for resettling such a large number within a short period of time.

Significant efforts have been made by the government to facilitate the restoration of normalcy in the lives of the IDPs returning to their places of origin. A 'package of support' containing food items, material assistance to rebuild houses, irrigation and livelihood support including land for cultivation was provided to the returnees. Indisputably there remain challenges in this resettlement process, which are addressed as and when they arise.

Mr. President,

My delegation notes the revised operational guidelines on human rights and natural disasters, aimed at assisting governments and other stakeholders in providing a framework for natural disaster relief and emergency response, contained in the report of the Special Rapporteur, making it current.

As you are aware, several countries, including Sri Lanka have been experiencing extreme and erratic weather conditions in the recent past, which has been attributed to the La Nifia weather phenomenon. Approximately a million people have been affected by the floods in the North, North Central, and Eastern provinces of Sri Lanka. The Government, together with bilateral partners and international agencies has been swift in providing emergency relief, essential food items and medical assistance to the internally displaced persons following the floods. The Government, together with its partners is working tirelessly to rapidly return normalcy to the lives of these IDPs.

Sri Lanka reiterates its commitment to working closely with the Working Group on Disappearances and the Special Rapporteur on IDPs and looks forward to keeping them and the Council informed of the continued progress we make in regard to the respective issues.

Thank you.