



Permanent Mission of Sri Lanka to the UN, Geneva

Sri Lanka responds during discussion on UN High Commissioner's Report to the 27th session of the Human Rights Council

Sri Lanka's Permanent Representative to the UN in Geneva and Leader of the Sri Lanka delegation Ambassador Ravinatha Aryasinha addressing 27th Session of the Human Rights Council in Geneva today (8 September 2014), welcoming the new High Commissioner Zeid Bin Ra'ad Al-Hussein on his appointment, said, "his wide experience in diplomacy, in-depth knowledge of the UN system and understanding and respect for social and cultural characteristics are useful assets that will guide the work of the OHCHR, consistent with the IB package and based on the fundamental principles of universality, impartiality, objectivity, non-selectivity, constructive international dialogue and cooperation". He observed that "despite Sri Lanka's non-recognition of the politically motivated resolution on Sri Lanka during HRC 25, Sri Lanka would continue to engage with the regular mechanisms of the Council, and looked forward to the opportunity to engage during Sri Lanka's fifth periodic report under the ICCPR next month -October 2014".

Ambassador Aryasinha also reiterated "Sri Lanka's categorical rejection of the resolution and its call for a 'comprehensive investigation' by the OHCHR", and said "Sri Lanka will be addressing this issue comprehensively when the High Commissioner's 'oral update' is taken up for discussion later in this Session". The statement noted that "the Resolution and its mandate for a 'comprehensive investigation' challenge the sovereignty and independence of a member state of the United Nations, are based on profoundly flawed premises inimical to the interests of the people of Sri Lanka and violate a fundamental principle of international law which requires that national remedies have to be exhausted before resorting to international mechanisms. As Sri Lanka and other countries have pointed out in the Council on several previous occasions, operative paragraphs 2 and 10 of the Resolution are mutually contradictory, in calling on both the Government and the OHCHR to conduct parallel investigations. What is most regrettable is that the intrusive external investigative authority vested on the OHCHR not only exceeds its mandate, but disregards completely the domestic processes in place in the country. It disrespects the inherent social, cultural and ethnic susceptibilities of the people of the country, jeopardizes the delicate process of reconciliation that is already underway, and militates against stability and peace in the country".

Notwithstanding the rejection of the Resolution, Sri Lanka's comprehensive statement to the HRC detailed the manner in which Sri Lanka continues its own domestic process of reconciliation, using as a basis, the National Plan of Action to implement the recommendations of the LLRC (NPoA). Ambassador Aryasinha drew

to the Council's attention, that "in the period since HRC 26 concluded in June 2014: a 'Special Bureau for Reconciliation' is being set up; the mandate of the COI on Missing Persons has been enhanced to inquire into additional matters, and through the appointment of a five-member International Advisory Council that includes internationally recognised lawyers; the Bill on "Assistance to and protection of Victims of Crime and Witnesses" is due to be presented in Parliament tomorrow; the Joint Needs Assessment on resettled IDPs supported by UN-OCHA is nearing completion and the final report is expected by October 2014; the PSC continues to endeavour to fulfil its mandate, despite the persistent refusal of the TNA to participate".

Ambassador Aryasinha said Sri Lanka "was deeply appreciative of all long standing friends in the HRC and in the wider international community who have continuously and consistently kept their faith in our ability to achieve national reconciliation on our own. Sri Lanka had also been encouraged to seek to share experiences through regional and international partners, and in this regard were currently engaged in dialogue bilaterally with several countries at high level". "However, even as Sri Lanka perseveres on the sensitive path of reconciliation, it is unfortunate that some, refuse to acknowledge this and persist in heaping negative attention".

The Ambassador said, "Sri Lanka rejects assertions regarding threats levelled against the human rights community in Sri Lanka. Steps will be taken at all times to investigate into complaints. In this context, it must be noted that the full gamut of constitutional guarantees including effective remedies are available to individuals or groups who wish to canvass the rights of persons". "Sri Lanka also regrets attempts being made to portray the country as intolerant of religious minorities. For centuries, people in Sri Lanka practising different faiths and practices have coexisted peacefully and in harmony. However, like in all countries in the world composed of multi-cultural and multi-religious communities, unfortunate isolated incidents can occur. Wherever such incidents of attacks involving religious places of worship have taken place or any individual has been targeted on the basis of religion or faith, the legal process has been set in motion in respect of reported incidents and investigations have been launched. The Government expressly condemns all acts of violence against any religious or ethnic communities".

Concluding, Ambassador Aryasinha reiterated that the Government of Sri Lanka is firm in its commitment to continue its ongoing domestic processes of accountability, justice, reconciliation and nation building and will continue to work with its international partners. He also reaffirmed Sri Lanka's continued support to the High Commissioner; to the OHCHR; and to the work of HRC.

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