



Mr. President,

My delegation wishes to exercise its right of reply with regard to references made to Sri Lanka by Germany, the US and Ireland under Agenda Item 4 - General Debate,

It seems ironic when for the first time since the introduction of the Provincial Council system in 1987, elections to the Northern Provincial Council are to be held later this week on 21 September 2013, that Germany should choose to discredit the process and prejudge its outcome and impact. The commitment of the Government to ensure the transparent and free and fair conduct of the election not only to the Northern Provincial Council, but also to the Central and North Western Provincial Councils which go to polls this Saturday is clearly demonstrated by the presence of 24 election observers from the South Asian region as well as from Commonwealth countries, on the invitation of the Elections Commissioner. It may be noted that there has been no practice in Sri Lanka for provincial council elections to be observed by external entities. However the Election Commissioner took this initiative vis a vis the Northern Provincial Council as elections had not been held over a very long period of time, and as a confidence building measure. Representatives from local NGOs are observing the polls of the elections to the Central and North Western Provincial Councils, which are also being conducted on the same day.

My delegation is equally dismayed by the lack of objectivity displayed by Germany with reference to Sri Lanka in their statement which has chosen to ignore the concrete steps taken by the Government to achieve comprehensive reconciliation within the context of the LLRC, including to investigate atrocities alleged to have been committed at the end of the terrorist conflict in 2009. This progress on reconciliation was detailed by my delegation under the General Debate - Agenda Item 2, as well as in the ID with the SR on Transitional Justice.

We are surprised that the US should declare that 'Sri Lanka should set visit dates and provide access for relevant special rapporteurs' when my delegation has updated the Council twice in the current session with regard to its proactive engagement with special procedures mandate holders and the invitations it has extended in this regard. Scheduling of similar visits will continue in accordance with the requirement of the country and appropriate timing, for which the GoSL is best placed to decide.

Similarly, the issue of alleged reprisals against human rights defenders was comprehensively addressed in our statement under Agenda Item 2 - General Debate on the first day of the Council. As we already informed, the Government of Sri Lanka is fully committed to the protection of human rights defenders and we have requested the High Commissioner and her Office to provide us specific information with regard to the allegations they have made. We are still awaiting the receipt of such information so that we could verify the credibility of such allegations. As we indicated, the wide range of interactions that the High Commissioner had with civil society during her recent visit, as well as the active engagement of civil society from Sri Lanka in successive Council sessions is testimony to the vibrant nature of Sri Lanka's civil society and the freedoms they enjoy.

The Government of Sri Lanka also rejects the suggestion of excessive use of force by the military against peaceful protestors. As was evidenced in the recent incident in Weliveriya, it has been established that the protest was not peaceful as claimed. However, at present a Magisterial inquiry is ongoing and an internal inquiry by the Sri Lanka Army has been held and 4 persons from the Army have been suspended from duty pending possible disciplinary action.

As for the concerns expressed regards violence against religious minorities, it may be noted that all people living in Sri Lanka enjoy freedom of religion which is a constitutionally guaranteed right. The GoSL has consistently sought to ensure the freedom to enjoy any religion chosen by an individual. Regrettably incidents involving citizens of two religions, have been inappropriately used by interested parties to portray as a religious minority issue..

As for Ireland, while denying the allegation of human rights violations against prisoners detained in connection with terrorist activity, it may be noted that the treatment of those incarcerated in connection with the conflict is subject to judicial scrutiny. Also, their legal representatives and family members, as well as the National Human Rights Commission and the ICRC have free access to all those in custody. Infact Consular access has been consistently provided to the Irish Embassy accredited to Sri Lanka with regard to an Irish national who was in detention for links with the LTTE as confessed, and is now under rehabilitation following a judicial process. Further while instances of reported cases of torture have diminished considerably throughout the last five years, as the Government already informed in this session, a Commission has recently been appointed to investigate allegations of disappearances, which will complement ongoing action.

My delegation finds it disconcerting to keep noting the said allegations, particularly when the Council has been continuously sensitized to the action taken on the very same issues. We can only keep hoping for an objective and constructive approach from the HRC.