

POSTPONEMENT OF REPORT OF UNITED NATIONS HUMAN RIGHTS COUNCIL

STATEMENT BY MINISTER OF FOREIGN AFFAIRS

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Honourable Deputy Speaker

I would like to give my reply to the issue raised by Hon. Leader of the Opposition on 19th February, under standing Order 23(2). Hon. Deputy Speaker, the previous Rajapaksa regime had kept the gates opened to the international community for intervention in the internal affairs of our country as a result of the undemocratic process adopted by them, the complicated foreign policy and the continuous inability to fulfil the international responsibility promised by them.

However, when the then President Mahinda Rajapaksa met with the Secretary General of the United Nations in May 2009 he declared that he is willing to conduct an inquiry into war crimes according to international standards. However, we in the then Opposition were of the view that in the event of charges being framed against us in respect of allegations against violation of human rights or war crimes, such inquiries should be made in an independent way according to local judicial system. Furthermore, we stated that if anybody is found guilty of such charges we have a legal framework whereby sentences could be passed on such accused. First of all, I would like to state that our stand on the issue remains unchanged.

We are of the view that a trustworthy internal investigation should be conducted to probe the allegations against violations of human rights in Sri Lanka. In the document titled 'We shall unite for a change; a compassionate rule; a new country within 100 days' we presented on the occasion of the recent Presidential Elections we have stated as follows, under section 93 of the programme to be implemented within 100 days.

'In view of the fact that Sri Lanka has not signed the Rome Convention that had established the International war crimes tribunal any allegations of such crimes will be dealt with under an independent local judicial system' .

As a result of Sri Lanka not signing the Rome Convention that had established the international war crimes tribunal due to the far sightedness of our Prime Minister, we stated in the said document that charges if any in this regard will be dealt with under an independent local judicial system for the administration of justice. I must state here categorically that we are taking action to establish such a local mechanism not because of the need to accede to a promise made to the international community but in order to fulfill a promise made to the people of our country at the recently concluded Presidential Elections. We are always accountable to the people of this country rather than to the international community. However, it is one of our basic objectives to ensure fulfillment of all possible benefits to the people of this country having once again followed a friendly policy with the international community.

At the moment our judicial system has once again regained its lost prestige having ensured its independence to conduct such inquiries. We have competent judges recognized anywhere in the world. Having appointed as the head of the judicial system an honourable person qualified in all respects to hold such high office, after removing the incumbent Chief Justice who held the post illegally, we have been successful in restoring the independence of the judiciary. I am delighted to state the fact that as a result we have been able to reaffirm the trust both locally as well as internationally in our judicial system which had been reduced to the level of a 'kangaroo court'. We are even ready to obtain international technical cooperation in establishing an independent local judiciary.

I would like to state that we are ready to act cooperatively not only with the United Nations Organization, the Human Rights Council of the United Nations Organization, but also with other International Organizations on Human Rights. We have already started discussions on the establishment of a mechanism to conduct a trustworthy investigation on allegations of violations of Human Rights. We need some more time in this regard. If only the previous regime showed any interest in this respect

as promised to the international community this issue would not have dragged on so much. We are not in a position to neglect the interest shown by the international community. Being a small country we cannot go it alone. Our policy is to embrace the world rather than to reject them. In the circumstances we are ready to transact with the international community. We must remind you that our country and our people are going to reap benefits of such transactions with the world community. We believe that there is a developed world outside of Sri Lanka. We, as a government accept the fact that in developing our country we need the cooperation of that developed world.

Our foreign policy is not based on any ideologies. It is distinctly based on the needs of the people of this country. This , basically, is our foreign policy. It is as simple as that. Our foreign policy is commensurate with the requirements of the people of this country; it is a practical foreign policy.

A credible internal investigation would help regain the lost respect and dignity of the Sri Lankan security forces. There may be wrongdoers in any army in the world. No organization or institution can boast of 100 percent perfect persons. Therefore it is no matter for concern in holding inquiries for wrongdoings if any. We should not be afraid of such investigations. It is not treachery either.

There are instances of such past investigations as those in respect of the assassinations of Premawathie Manamperi, and Krishanthi Kumarasamy. So, on the one hand this is not something new. Our government would be able to restore the lost prestige of the members of the three security forces and the police by divulging the identity of those responsible for disgracing the goodwill of our valiant security forces and police and those who issued orders in this regard.

The former rulers of this country blatantly sacrificed the goodwill and honour of the members of the entire security forces for the sake of power of one family. In such a scenario the world identified our security forces in every regressive manner. During the last stage of the Rajapaksa regime our valiant security forces were reduced to the level of a set of slaves engaged in selling vegetables, sweeping roads and maintaining tourist

hotels. We are, at the moment striving to help them regain the lost and shattered goodwill. We would like to rebuild that prestige.

We have already commenced discussions with the relevant authorities to afford the officers and the soldiers of our security forces the opportunity of being recruited to the peace keeping forces of the United Nations. As I said a moment ago, we have already taken action to afford international recognition to the valiant members of our security forces who had been entrusted with the task of constructing pavements in the Colombo city, removing grass on the roads and selling vegetables. It is our belief that, as a result of this programme, the members of the security forces would soon get the opportunity of showing their talents at any place in the world.

In addition to the efforts made in restoring the lost prestige of the members of the security forces, the solitary aim of our government is the creation of a new Sri Lanka where all citizens Sinhala, Tamil and Muslim as well as the Buddhist, Hindu, Christian and Islam followers could proudly live as Sri Lankans.

President Maithripala Sirisena was elected to the office of President not on the votes of any particular ethnic community, but on the votes of the entire Sri Lankan community. After a number of decades, today we can proudly boast of a President elected on the votes of all the Sri Lankans.

Hon. Deputy Speaker. in such an environment, I was taken aback when I recently read in a paper a statement made by the former President Mr. Mahinda Rajapaksa. He had stated at a Trade Union Seminar held at Tangalle Town Hall on 17th instant that he restored the voting rights of the people of the North and East and that he would have won the Presidency had they not cast their votes. In other words, the former President is of the opinion that he could have won only in a divided Sri Lanka having a Eelam State.

All the citizens of this country possess the voting rights. They lose it once the country is divided only. If that is so, I would like to pose this question to the former President. "Do you accept the position that Mahinda Rajapaksa will not be able to gain power again in a united and undivided Sri Lanka?": I hope that hereby this august

assembly would identify who the real Eelamists are? We must take the maximum use of this opportunity to create integration in this country having defeated the Eelamists including the former President who try to cover their nakedness through Sinhala patriotism and in the process bring disaster to the island. The results of the recent Presidential Elections had taught a lesson to the masses of this country that there is no room any more to racism and religious bigotry. The former President as well as the opposition should understand this signal.

We should not leave room for extremism anymore. The civilized world reject such ideas. We have suffered enough. In the circumstances, we must all reject Sinhala extremism as well as Tamil and Muslim extremism. At this moment, we as Sri Lankans could make a positive intervention specially for a better future and development of the country. A golden opportunity has opened up in this regard. It is my view that the most opportune time for the creation of a Sri Lankan identity, which we were unable to achieve so far, after independence has dawned today. (D) After a number of decades, the country has got a President representing all ethnic groups of the Island.

Therefore, it is very important that we take the maximum use out of this position. I would like to state here that our government is ready to go forward with the cooperation of all the ethnic groups of the Island to create a decent country that honour good governance, social justice and democracy by the amalgamation of more values to the rainbow revolution that took place on January 8th, thus giving further meanings to it.

I would like to provide the following answers to some other questions raised by the Leader of the Opposition through his statement.

01. Yes. I would like to table the letter sent by me to the Human Rights High Commissioner of the United Nations. I forwarded that letter in English. I would like to table the Sinhala and Tamil translations of that letter to be included in Hansard.

Hon Deputy Speaker ; I request you to include the entire letter in Hansard considering its special importance.

02. The paragraph 93 of the 100 day programme states as follows :

'In view of the fact that Sri Lanka has not signed the Rome Convention that had established the International war crimes tribunal any allegations of such crimes will be dealt with under an independent local judicial system' .

I, therefore, would like to state that rather than acceding to the promises made to the international community we are today fulfilling one other promise made to the people of this country by formulating an independent local mechanism to solve this issue.

03. The relevant letter has already been tabled .

04. I believe that with the establishment of a trustworthy independent mechanism locally, we would be able to disperse the mistrust created in the minds of certain groups of people. In this regard I would like to make a special appeal to our brothers and sisters from the North, Members of Provincial Councils, the other politicians as well as our brothers and sisters to trust our government in our tasks ahead. Keep trust in us and we would deliver the goods as promised.

05. Necessary steps would be taken as promised in the policy statement issued at the recently concluded Presidential Elections by President Maithripala Sirisena.

In fact, the Hon Prime Minister made a long statement about the tasks accomplished by our government during the past 38 days.

I would like to conclude my statement by declaring that action has already been taken not only to strengthen the democratic institutions in the country, affirm the freedom of expression, strengthen the rule of law, maintain good governance and taking steps to strengthen the National Commission on Human Rights but also in respect of other matters mentioned in the letter addressed to the High Commissioner of Human Rights.