



STATEMENT

by

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Minister of Foreign Affairs of Sri Lanka
&
Leader of the Sri Lanka Delegation

at the High Level Segment of
the 28th Session of the Human Rights Council

2 March 2015, Geneva

The Permanent Mission of Sri Lanka to the United Nations
and other International Organizations in Geneva

Mr. President
High Commissioner for Human Rights/ Madam Deputy High Commissioner
Excellencies
Distinguished Delegates
Ladies and Gentlemen

It is an honour for me to be here today, representing the Government of Sri Lanka following the historic Presidential election that took place in my country 48 days ago on 8th January 2015.

As this august assembly would be aware, 81.52% of the registered voters in Sri Lanka from all parts of the island including the former conflict affected areas in the northern and eastern provinces exercised their franchise at this election. It was the largest ever voter turnout in the country's history. Despite calls from some both within and outside the country to boycott the election, the people of Sri Lanka asserted their right to vote. Out of 66.28% of the total votes cast in the Jaffna District, 74.42% voted for President Maithripala Sirisena. In the Vanni District, out of the 72.57% votes cast, 78.47% voted for him. In the predominantly Muslim Eastern Province, President Sirisena polled 71.84% of votes in the Trincomalee District, 65.22% in the Digamadulla District and 81.62% in the Batticaloa District. 84.26% of the votes cast in his favour were from outside the Northern and Eastern Provinces reflecting that the people living in these areas also gave voice to the change of Government. It could therefore be said that this is the first time in our country's history that we have a truly Sri Lankan leader who has been elected through the votes of all Sri Lankans irrespective of race, religion and language. All communities united in electing President Maithripala Sirisena who promised them a united New Sri Lanka in which ethnic, cultural and linguistic diversity is respected, celebrated and valued. They chose a leader who would fulfil their aspirations of strong and independent democratic institutions, freedom of expression, the rule of law, good governance and the promotion and protection of human rights. In doing so they rejected outright a regime under which the rights of the individual had been violated with impunity for almost a decade.

This peaceful change of Government that the people of Sri Lanka achieved through the ballot was a triumph for democracy not only in Sri Lanka but all over the world. It was a victory for the values and principles which the Human Rights Council and the United Nations stand for and promote. It is also a clear manifestation of the commitment of the people of Sri Lanka to democracy and freedom and their dedication to uphold, protect and preserve the pluralistic nature of society.

Within days of being elected, the Government, carrying out its pledge to ensure media freedom, unblocked websites that were blocked, lifted restrictions placed on foreign media personnel visiting the country, enabled journalists to travel freely to all parts of the country and invited all media personnel living in exile to return.

Human rights activists, media personnel and civil society groups are once again free to engage in their work without fear of intimidation or harassment.

The NGO Secretariat which was previously under the purview of the Ministry of Defence was shifted to the Ministry of Policy Planning and Economic Affairs. The Government will work with civil society groups and taking their views on important issues into consideration.

On the first Independence Day ceremony in Sri Lanka since the election, on 4th February, the Government, departing from previous practice, acknowledged past tragedies that had taken place in the country and emphasised the urgent need for healing and unity. Addressing the nation, President Sirisena stressed on the requirement for meditative reflection on past errors and for desisting from heaping blame on each other. He made a commitment to work towards

reconciliation and to unite the minds of the people of all ethnic and religious communities in the country. The Government also made a 'Declaration of Peace' paying respects to the citizens of the country of all ethnicities and religions who lost their lives due to the tragic conflict that afflicted the country for over three decades and to all the victims of violence since Independence. A commitment was made to ensure that never again will the country be allowed to be traumatised by the shedding of blood of her citizens.

Just days after assuming office, the President replaced the former military Governors of the Northern and Eastern Provinces of the country with two senior former civil servants. This set in motion the process of strengthening civilian administration in these provinces including cessation of military involvement in civilian activities, review of high-security zones and releasing of land for resettlement of the internally displaced. The Cabinet of Ministers has already identified and approved the release of one thousand acres of land from the high security zone. This land will be released in stages with 220 acres being released initially while more land is in the process of being identified for release. The UN Country Team which includes UNHCR is in active discussion with the Ministry of Resettlement and other relevant entities to work out resettlement plans for the internally displaced. We urge the international donor community to extend assistance to this important programme.

Work is currently underway to repeal the controversial 18th amendment to the Constitution which removed independent appointments to Commissions and lifted the term limits of the Executive President. The Government will re-introduce provisions of the 17th amendment to the Constitution that will provide for independent Judicial Service, Police, Public Service, Elections, Bribery and Corruption, and National Human Rights Commissions.

The Bill on Assistance and Protection to Victims of Crime and Witnesses which was delayed for over 5 years was passed unanimously by the Parliament on 19th February. Once this law is enacted, expeditious steps will be taken to set-up the necessary institutional framework to give effect to its provisions. This will facilitate the conduct of fair trials by striking a balance between the rights of the accused, the rights and entitlements of victims of crime and the entitlements of witnesses.

Mr. President,

The end of terrorism in May 2009 during the previous administration, though not without cost, was a necessity without which the restoration of human rights and equitable and sustainable development of the nation could not be achieved. However, with the Government at the time choosing to operate with a sense of impunity and a triumphalist approach, opportunities for reconciliation and restoration of human rights suffered. The historic election of 8th January this year that marked the end of that regime has now offered Sri Lanka an unprecedented opportunity to fulfil human rights objectives and work on achieving reconciliation. The Government recognises the importance of this opportunity and is resolute in its commitment to address these issues sincerely.

The Government has already undertaken the review of cases of individuals in detention. Discussions are taking place with the ICRC to explore further areas of cooperation including for the consolidation of the lists of missing persons and addressing areas of concern relating to the families of the missing. This includes obtaining assistance for psychological support.

Recognising the need to rebuild trust, harmony and an inclusive nation to bring about reconciliation, the President has set up a Special Presidential Task Force on Reconciliation which will function directly under him. This mechanism would, among other matters, identify immediate problems that require to be solved and recommend solutions to achieve reconciliation.

Discussions are already underway to look at ways and means of expanding the scope of human rights in line with internationally accepted standards. Recognising that the previous Government failed to implement the recommendations of the Commissions that were set up at the time, including those made by the Lessons Learnt and Reconciliation Commission (LLRC), action is now being taken to explore steps that can be taken in this regard. This includes examining incidents identified by these Commissions as serious violations of human rights which warrant further investigations and a criminal justice response. The content of the Report of the OHCHR Investigation on Sri Lanka too can be taken into account by domestic investigative and judicial mechanisms which we are in the process of setting up. The Government has already begun discussions regarding the nature of local mechanisms that should be put in place for this purpose including amendments to existing laws.

Mr. President,

It is significant for us in Sri Lanka that the core theme of this high-level segment is 'Strengthening of International Cooperation in the field of Human Rights'. As an island nation located in the Indian Ocean, mid-way between east and west, records dating back several thousand years indicate that Sri Lanka has always maintained contact with the outside world. The last few years when Sri Lanka moved away from this cooperative approach was an aberration. It was not in keeping with our nation's interests or with our nation's character and personality. We are firm in our belief, that, to be successful, the journey of reconciliation and accountability is one that the people of our country must embark upon, on their own. We do possess the competence, the skills, and the human resources required for this purpose. But we recognise that in this journey, there is much that we can draw from the experience of others in the international community. We have much to gain from their advice, technical support and assistance.

It is with this sincerity of purpose that I reached out to the High Commissioner for Human Rights last month on behalf of the Government to invite him to visit Sri Lanka at an early opportunity. I also requested for the Sri Lanka situation to not be discussed formally at the 28th Session of the Council in the context of the progressive steps being taken by the Government. I thank the High Commissioner and the President and members of this Council for the support extended to Sri Lanka by granting this request.

Mr. President,

The Government will engage and work in cooperation with a range of international organisations and countries across the world. Our approach is to seek solutions to issues through dialogue, cooperation, understanding and learning and not through confrontation. In this spirit, the Government commenced a dialogue with the Government of South Africa last week to learn from their experience of truth-seeking. A delegation headed by the Deputy Minister of International Cooperation visited Sri Lanka for this purpose. While they met all relevant stakeholders during the visit, the Deputy Minister of Foreign Affairs took the unprecedented initiative of inviting civil society representatives to a workshop hosted in the Ministry to exchange and share views in this regard with Government representatives and the South African delegation.

The Government has invited Mr. Pablo de Greiff, the Special Rapporteur on truth, justice, reparations and guarantees of non-recurrence to visit Sri Lanka for consultations. He has proposed to visit us at the end of this month. We also look forward to receiving the Working Group on Involuntary and Enforced Disappearances and we hope that the High Commissioner himself would find time to visit at an early opportunity. In this spirit of engagement, dialogue and cooperation, we look forward to inviting other special procedure mandate holders as well on a needs-based manner.

As you are aware Mr. President, Sri Lanka is a party to all core human rights conventions. We will work actively with the treaty body system and revisit and address recommendations made by them.

Although the Government has achieved much during its 48 days in office, there are many more hurdles to overcome including bureaucratic bottlenecks, entrenched attitudes resulting from the practices of the previous regime and extremist elements that attempt to derail the Government's initiatives especially in the lead up to the upcoming Parliamentary election. For some of us, the changes that are taking place and the speed at which the issues concerning our people are being addressed may not be rapid enough. I assure this Council however that the political will and commitment required for this purpose has not diminished in any way.

Mr. President,

The Government is committed to this important and historic journey that we have embarked upon which is critical for the realisation of the aspirations of the people of our country. I urge this Council, the High Commissioner, our bilateral partners, international organisations and also the Sri Lankan diaspora, all who wish our country to succeed, to trust us, have faith in us, support us and strengthen our hand.

Thank you.