Statement by

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Mr. President,

I thank the President of the Human Rights Council for her Report on the Council. Sri Lanka recognizes the important contribution that the Human Rights Council can make in protecting and promoting Human Rights in the world.

In 2006, the United Nations human rights protection system underwent major institutional reform and the Commission on Human Rights was replaced by the Human Rights Council. It is recalled that one of the fundamental reasons for this change was the need to address the nonproductive politicization that overshadowed the Commission. Sadly many delegations have expressed the same concerns in this assembly today, suggesting that the Council is heading in the same direction as the former Commission on Human Rights.

This is a worrying development and could rob the Council of its effectiveness and legitimacy. Sri Lanka is particularly concerned about this situation. The way in which the Council has also begun to target specific countries in a selective manner does not bode well for its future. A handful of countries have been selected for adverse attention by the Council, while others in similar circumstances are ignored.
Mr. President,

As the President indicated, Sri Lanka was the subject of the resolution in the Council: 'Promoting reconciliation, accountability and human rights in Sri Lanka'. It is unfortunate that Sri Lanka became the subject of a resolution despite the widespread acceptance that we had done more to address the issues arising from this conflict and promote reconciliation and reconstruction than almost any other country emerging from similar circumstances in the short period of 5 years. In addition, this resolution infringes on a fundamental principle of international law which requires that national mechanisms need to be exhausted before resorting to international mechanisms. The resolution and its mandate also challenges the sovereignty and independence of Member States of the UN, when it calls for a 'comprehensive investigation' on Sri Lanka's alleged human rights violations when the country itself has launched its own inquiries including with the assistance of eminent international personalities. It also intrinsically contradicts itself by requesting both OHCHR and the Government of Sri Lanka to conduct parallel investigations.

What it may have achieved is a further hardening of positions on the part of the supporters of the defeated terrorist group who may now seek to achieve through international intervention what it could not realise through terrorism. Not a helpful precedent for other countries fighting terrorism.

Mr. President,

Soon after ending the conflict, the government of Sri Lanka initiated its domestic reconciliation processes by appointing the Lessons Learnt and Reconciliation Commission. This Commission after analyzing over 1,000 oral and 5,000 written submissions, presented a 388-page final report in 2011 with 144 comprehensive recommendations and observations. Soon after receiving this report, the government developed a National Plan of Action to implement these recommendations and appointed an Inter-Agency Advisory Committee (IIAC) overseen by the Secretary to the President, to facilitate implementation. In August 2013, the Government appointed a three-member Presidential Commission of Inquiry to look into the question of missing persons. The Commission has so far received 19,761 complaints for investigation. An international
advisory panel has been appointed to assist the Commission. Many of the recommendations have been implemented. Others are in the process of being implemented. It is important to recognize that 27 years of terrorist inspired pain and agony can not be wished away in 5 short years. What is really important is that today we are living in peace, with a booming economy, benefiting all our people.

The Human Rights Council by calling for an investigation on Sri Lanka has not given adequate credit to this national reconciliation process. It has also ignored the basic principle of working with the Country concerned in the first instance. Due to these reasons, *inter alia*, the Government of Sri Lanka has rejected the Human Rights Council Resolution 25/1. Sri Lanka is firmly committed that to doing the right thing by its people.

I regret the news release issued by the Office of the High Commissioner for Human Rights two weeks ago which casts aspersions on the intentions of the Government of Sri Lanka. I emphasise that the government’s rejection of the Council’s investigation does not amount to concealing information. It underlines that as a proud and independent country and a people with a strong legal tradition we are capable of conducting the necessary investigations.

I recall the appeal you made last Friday to the Ambassadors of this Assembly, which emphasized the need to protect the credibility of the Human Rights Council. Unfortunately, if the Human Rights Council continues to selectively target individual countries, it will lose its effectiveness and credibility. This type of action not only undermines the principles of impartiality and objectivity enshrined in the UN Charter, but also negatively affects the cooperation that a country seeks with the Council.

Against this background, an important question remains. Will the Council ever be able to move away from its politicized agenda glazed with double standards? If it is to be effective, it must.
We recognize the important contribution that mechanisms such as the UPR can make to improve the human rights situations in the world. As consistently maintained, Sri Lanka considers the UPR to be the most appropriate forum at which human rights related matters pertaining to a country should be discussed, together with voluntary engagements under the human rights treaties and interactions with special procedures mechanisms.

Sri Lanka has appeared before the UPR on two occasions and is happy to work with it.

Sri Lanka also notes with concern the financial constraints being faced by the OHCHR and its dependence on volunteer contributions. We recommend that the OHCHR's budget be provided from the regular budget of the UN to lessen its unhealthy dependence on voluntary contributions. This would strengthen the financial independence of the Office, and thereby enhance transparency, and balance and contribute positively towards the depoliticization of its work.

Therefore, I urge the President of the Human Right Council to take the views expressed by Member States in this assembly, as well as in the Human Rights Council into serious consideration and make every effort to return the focus of the Council to its fundamentals. The Council was intended to make the world a better place. Help countries that needed assistance. Not to engage in selective politics. Such an approach would gain the Human Rights Council the support of all parties to continue its important work and contribute towards protection and promotion of human rights.

I thank you Mr. President.