

---

# Sri Lanka has always been open to dialogue, receptive to constructive criticism and advice

Thursday, 05 March 2009

Last Updated Friday, 06 March 2009

Statement by Hon. Mohan Peiris, P.C., Attorney-General of Sri Lanka at the interactive dialogue with the High Commissioner for Human Rights, 5 March 2009 &ldquo;Mr. President, Madam High Commissioner, May I thank you and congratulate you on your comprehensive statement introducing your first annual report dealing with a spectrum of issues both thematic and country specific.

We are confident that you will appreciate Sri Lanka's transparent and constructive engagement with human rights mechanisms, special procedures and treaty bodies and in particular with your Office. You will appreciate that we have agreed to the presence of a Senior Human Rights Advisor in the UN Country Team, our contribution to develop the UPR process, our voluntary participation in that process, including the institutional building process of this Council and our acceptance of our obligations flowing therefrom and our pledges to strengthen implementation at national level. Madam High Commissioner, we have invited Special Rapporteurs and facilitated many visits even under the most trying circumstances. We have been always open to dialogue and been receptive to constructive criticism and advice. May I now turn to the concerns expressed by you regarding Sri Lanka and endeavour to respond briefly. You will note that we have made significant progress in the establishment of safe passage and safety zones with the assistance of ICRC and WFP. We have also, with the help of the UN agencies, established transit and temporary shelters and shelters of more permanent kind in the IDP camps. There are approximately 36,000 IDPs already in these facilities. These unfortunate persons are provided with food, clothing, medical care, vocational training and the clean and secure environment. We are eagerly waiting for the release of those who are held hostage by the LTTE to extend to them the same hospitality. Madam High Commissioner, these innocent civilians are held hostage in blatant violation in gross disregard to the cardinal principles of IHL pertaining to the protection of civilians. There is therefore an urgent need to respond to this blatant violation with greater international pressure on the LTTE, the nature of which has to be much more than another appeal simpliciter. Madam High Commissioner, I must categorically state that the government is taking every measure to ensure equality and equal protection of the law to all its citizens without discrimination. We can boast of a robust fundamental rights jurisdiction which is actively pursued as a matter of routine in our Supreme Court. We take seriously our obligations as a State party to the core human rights treaties. Our inability to speedily identify the perpetrators in a given investigation should not be interpreted as being synonymous with the accommodation of impunity. We do not, as a matter of State policy, tolerate a culture of impunity. We have launched a series of prosecutions and set in motion administrative measures whereby persons suspected of any violation of fundamental rights have had to show cause in respect of the conduct complained of. We are keenly awaiting the report of the Commission of Inquiry to implement its recommendation. We have put in place the All Party Representative Conference which is a mechanism by which regional and provincial groups can participate in developing a framework for greater participation with the centre. Madam High Commissioner, let me briefly turn to the thematic principles in your report such as what was described as &ldquo;additional forms of interaction by way of informal briefings by the Council on issues of specific concerns during intersessional period, Presidential Statements or declarations which will capture the sense of the Council&rdquo;. We must however hasten to strike a note of caution that there must be need to ensure objectivity and impartiality in any new mechanism. We will take note of these suggestions and examine them in greater depth and detail at the inter-governmental level within the Council. It is our view that we also need to ensure that multi plurality of mechanisms do not impinge on existing procedures or mechanisms that are already agreed to and working very well. We would not want these new procedures to be an additional burden on member States and more particularly on developing States who are doing their best with their stretched resources. Madam High Commissioner, we assure you that Sri Lanka will continue to work very closely with your office with a positive outlook as it approaches a very critical and new phase in the history of this conflict. We realize that peace is not a contract however well written unless we enter such arrangement in a spirit of reconciliation. We are conscious that this is not an easy task but are confident that with the support and understanding of your office and our friends in the international community we would achieve this objective within the months to come. May I in conclusion wish you every success in all your endeavours in the coming year and assure you of our support and cooperation. Thank you Mr. President.&rdquo;