Minister Mahinda Samarasinghe addresses the Human Rights Council

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Hon. Mahinda Samarasinghe, Minister of Disaster Management and Human Rights addressed the Twelfth Session of the UN Human Rights Council, which began its 3-week long session today. Hon. Minister was among the three high-level dignitaries who addressed the Council and his statement was followed by the statements made by H.E Ms. Esther Brimmer, US Assistant Secretary of State for International Organizations, and Her Royal Highness Princess Bajrakitiyabha of Thailand. The full statement of the Hon. Minister is as follows:
“Mr. President, At the outset, let me congratulate you on your election as the President of this Council and permit me to extend to you the felicitations of the Sri Lankan delegation and to assure you of our continued cooperation in your efforts to make the Council more relevant and responsive, in fostering international cooperation in the promotion and protection of human rights, all over the world. Minister Samarasinghe with Her Royal Highness Princess Bajrakitiyabha of Thailand Minister Samarasinghe with Attoney General Mr. Mohan Peiris Mr. President, Since June this year, when we last addressed this forum, Sri Lanka has made significant strides towards a lasting and durable solution to our long-standing conflict. I wish to acknowledge with gratitude the keen interest the members of this Council have displayed in the evolving situation in Sri Lanka and wish to reassure them that, with the defeat of terrorism, the Government of His Excellency President Mahinda Rajapakse is doing its utmost to restore, rebuild and renew the foundations of a democratic social order throughout the territory of the Sri Lankan nation. We have taken note of the concerns expressed with regard to the internally displaced Sri Lankan civilians by the High Commissioner for Human Rights earlier today. She chose, in her statement, to characterize the relief villages and welfare centres housing internally displaced Sri Lankans, as being no more than internment camps. This is furthest from the truth. The reality in post-conflict Sri Lanka is very different. Mr. President, Nearly 290,000 Sri Lankan hostages were rescued from the clutches of the Liberation Tigers of Tamil Eelam (LTTE) who forcibly held them as a bulwark between their dwindling cadres and the advancing Sri Lankan armed forces. These people were pressed into service by the LTTE and were compelled to place themselves at risk to protect the leadership of an increasingly desperate group. Once the LTTE were defeated, these persons were moved to temporary accommodation facilities in schools and public buildings and later to the relief villages which were already being constructed in anticipation of their arrival. It is true that the sheer numbers of persons arriving at these centres did stretch the capabilities of the Government and its partners to care for them but, it is a matter for satisfaction that within a matter of weeks, we were able to accommodate and provide an adequate level of care for these persons. There were considerable challenges surmounted along the way in trying to care for these Sri Lankans. Apart from emergency food, shelter and medical care, water supply and sanitation were critical needs which have to be catered for. The national Disaster Management Centre has also taken special measures to prevent and mitigate the risk of flooding due to the upcoming monsoonal rains. Protection issues were also a concern given that the Government possessed information that some LTTE cadres had infiltrated the ranks of the internally displaced persons (IDPs) and posed a significant threat. You will appreciate Mr President, that the Government of Sri Lanka has a responsibility to guarantee the human rights of the entirety of the population – not only the rights of the conflict-affected IDPs. Allowing LTTE cadres, masquerading as ordinary civilians, freedom of movement would have posed a grave threat to people in the rest of the country. Members of this Council and the rest of the global community knows only too well the atrocities committed by the LTTE against ordinary civilians. Given the vast caches of arms, ammunition and explosives being recovered on a daily basis in the former theatre of conflict and outside, their ability to destabilize the country and cause havoc could not be underestimated. Mr. President, It is our position that the IDPs can and will be permitted to leave the relief villages and welfare centres once they are screened and their bona fides established. The host family scheme has recently been publicly announced and persons are permitted to reside with relatives. Nearly many thousands of applications have been received in Jaffna and Vavuniya in just the last few days, requesting the release of IDPs to the custody of host families. It is our responsibility to ensure that these checks are stringent and thorough. This process is initiated consequent to a policy decision that was taken by the Presidential Task Force for Resettlement, Development and Security in the Northern Province. To aid this process, as at 06 September 2009 167,908 IDPs representing 75,009 families have been registered, with 110,000 temporary identity cards being handed over to the authorities for distribution. Apart from enabling their movement, this exercise of registration and issuance of temporary identity cards to IDPs is to ensure their right to eventual resettlement in their original places of residences, family reunification, provision of educational facilities for their children, livelihood training programs and for the identification of disabled and handicapped persons requiring special care. Since the end of successful armed operations to rescue the civilians in the theatre of conflict in May 2009, over 14,500 persons have been cleared to live with relatives. Over 31,000 persons have been reunified with members of their families who were separated during the military operations. Resettlement has commenced with limited returns being made possible by demining. In the period July to August 2009, a total of 5,331 IDPs representing 695 families have been resettled from sites in Vavuniya to Ampara, Batticaloa, Jaffna and Trincomalee Districts. A further total of 9,994 persons are to be returned to their places of origin in the East and Jaffna during a two week period. Of this total, the first set of returns took place on 11 September with approximately 2,800 persons from Vavuniya IDP sites being returned to their places of origin in Ampara, Batticaloa, Jaffna and Trincomalee Districts. This included 60 university students who were sent to Jaffna. Of the older category of persons displaced between 2006 and September 2008 during the Eastern Humanitarian Operations, 2,828 persons from 762 families have been resettled in Musali DS Division, in the Mannar District. Further “go and see visits” are being organised for the rest of the IDPs to ensure that eventual return and resettlement is voluntary based on informed choice. The High Commissioner also spoke of access to humanitarian actors. Let me assure you Mr President that, along with the several Governmental agencies working for IDP welfare, there are over 50 agencies including United Nations, international and national non-governmental

organizations working alongside us to support and supplement our efforts. Despite such progress Mr. President, we can see an orchestrated campaign being conducted by vested interests to grossly distort the conduct of the humanitarian operations and the good work that is being done to care for those rescued from the clutches of terrorism. One such incident was played out just days before the present Council session when a fake video was handed over to several leading international media institutions showing the Sri Lanka Army allegedly executing Tamils in the North. Mr. President, needless to say the initial impact of this fake video was devastating to the extent that even the Secretary-General aired his grave concern to me when I met with him ten days ago in Geneva on the sidelines of the World Climate Conference. Mr. President, I am now pleased to announce that four separate investigations conducted in respect of this video footage have now scientifically established beyond doubt that the video was a fake. We have shared these scientific findings with the Secretary-General and the High Commissioner, among others, and we will be taking appropriate steps to ensure that this kind of unverified broadcast is prevented from happening again. This is the kind of disinformation campaign which is still being conducted against my country even after the terrorism has been defeated and I can assure you Mr. President and our friends in this Council that we will also defeat these forces who cannot be allowed to tarnish and bring disrepute to the image of my country. For those remaining in the relief villages and welfare centres, health has been identified as a priority sector. At present, a total of 81 doctors are working in camps in Vavuniya and 18 doctors are working in the Cheddikulam hospital close to the main relief village site known as Menik Farm. The Sri Lankan Ministry of Health reports that by today, permanent appointments will be made for approximately 100 doctors to serve in camps and 28 doctors to serve at the Cheddikulam hospital. A health camp which included psychosocial services was facilitated by the Sri Lanka Air Force in Zones 2 and 3. A new psychosocial Centre has been opened in Zone 04. Mobile clinic facilities are operational in the newly opened Zone 06. 07 health facilities in Kilinochchi, 03 in Mannar and 02 in Vavuniya are to be completed by mid-October 2009. In recognition of the importance placed on education by Sri Lankans, the national Examinations Department established 10 special examination centres in Vavuniya for 1,236 displaced candidates to enable them to sit the G.C.E Advanced Level examination. It is significant that 166 ex-child combatants also sat for the examination held last month. Temporary learning spaces have been demarcated in the IDP sites and educational services are being provided. Mr. President, The Government's programme could be summarized under the 5 heads of relief, reconstruction, resettlement, reintegration and reconciliation. Relief encompasses all the humanitarian assistance and services provided to IDPs during the present “care and maintenance” phase. Reconstruction includes all the initiatives aimed at rebuilding the damaged and destroyed physical infrastructure on which US Dollars 150 million has been expended up to now. It is noteworthy that the bulk of the funding of these operations to date have been contributed by Government. The Government is determined that the facilities available to the people in the rest of the country will be available to the people in conflict-affected areas. The resettlement programme can only be completed when demining can be completed and we expect to be able to report on major advances in this area during the coming weeks. The acquisition of 10 new flailing machines using government funds will enable us to clear much more ground and obtain necessary certification from the United Nations agencies concerned. According to the initial survey carried out by the Information Management System on Mine Action, it is estimated that approximately 1.5 million landmines and unexploded ordnance (UXO) contaminate an area of 402 sq km. Since the beginning of January 2009, de-mining of 25 small administrative divisions has been completed. According to the National Steering Committee on Mine Action, de-mining in 15 divisions in Musali, Manthai West and the Rice bowl area of Mannar covering 80 sqkm have commenced and clearance is on-going. De-mining of the Rice bowl area is expected to be complete by Mid-October to enable further resettlement. In Vavuniya District, 35 divisions have already been cleared and are ready for the resettlement of IDPs. De-mining activities in another 10 divisions is ongoing. In Jaffna, de-mining in 14 divisions has been completed with de-mining activities in a further 19 divisions ongoing. While de-mining in 03 GN Divisions in Batticaloa and 01 GN Division in Trincomalee has been completed, clearance activities are ongoing in another 02 divisions each in Anuradhapura, Batticaloa and Trincomalee Districts. As at the end of August, a total of 445,370,401 square metres have been cleared of mines and UXOs. Approximately US$ 64 million has been expended for the Sri Lankan Mine Action Programme through the respective de-mining agencies. Of the area cleared, a total of 335,927,614 square metres have been cleared by the Sri Lanka Army at the cost of only US$10 million. The rest of the area has been cleared by another 08 de-mining agencies. Apart from de-mining, resettlement can only be sustainable if livelihoods and other early recovery measures are put in place. The smooth transition from early recovery to medium and longer-term economic development is also being planned for. This long term development strategy is being developed and implemented under a programme known as the “Northern Spring” which will usher in a period of renewal for the people of the North. Perhaps the most vital part of winning the peace, Mr President, are the efforts of the Government which are being undertaken for the reintegration of ex-combatants. Reintegration of ex-combatants into civilian life and the attempts at normalization and reconciliation launched by His Excellency the President, are the two final components of the integrated strategy that our Government has put in place. In support of these initiatives we have, after wide consultation, recently completed a national framework proposal on the reintegration of ex-combatants into civilian life. We laid the conceptual underpinnings of this exercise in 2006 within the ambit of the disaster recovery mandate of the Ministry of Disaster Management and Human Rights and began work in October 2008, long before the armed operation was successfully concluded. The framework takes a holistic view of reintegration which includes not only disarmament and demobilization followed by rehabilitation but also transitional justice, reinsertion and socio-economic integration. The integration process will enable those who took part in the conflict to rebuild their lives and become productive members of society. We are in the process of formulating an action plan in keeping with the national framework in close consultation and coordination with the various Government focal points. We expect the action plan to be finalized before the end of September with the active cooperation of all key Government actors, civil society and our international partners. Technical support for this important initiative is being provided by the UNDP and

ILO who will work along-side local experts. Our main focus is to ensure inter-agency coordination and a harmonized approach. This, we believe, will prove effective, prevent duplication and ensure that all agencies are working towards a common goal and are moving in one direction. It will also help build synergies among the various operational agencies who are working on individual components of an integrated strategy. Political accommodation through an inclusive reconciliation process will be the final component in the Government’s efforts to finally end nearly three decades of conflict. President Mahinda Rajapakse of Sri Lanka has already reached out to political parties to join hands with him in cementing the peace that is now possible after the defeat of terrorism. Successful elections have just been concluded to local bodies in Jaffna and Vavuniya. It is significant that opposition groups were able to campaign and contest and even gain a working majority in one local authority. As we were committed to restoring democratic institutions in the East after the conclusion of operations in that region in 2007, democratic institutions must and will be resuscitated in the North for the benefit of the people. Mr. President, Internecine conflict such as that experienced by Sri Lanka for nearly 3 decades, has an inevitable corrosive effect on the institutions and mechanisms that ensure peace, order and good governance. We have to rebuild our institutional foundations to foster and preserve the new multi-ethnic, multi-lingual, multi-cultural and multi-religious Sri Lanka that we wish to create. Our vision is the creation of a new Sri Lankan identity which acknowledges and cherishes the wonderful diversity that characterizes our society. To enable this, the promotion and protection of human rights – economic, social and cultural as well as civil and political rights and the right to development – is of prime importance. This is why, in keeping with our pledge made at the Universal Periodic Review process in May last year, we have taken steps to develop a National Plan of Action for the Promotion and Protection of Human Rights. Work on the first draft of the Plan is nearing completion and we expect that it will provide a framework that will enable us to guarantee the rights of all of our people in the years to come. Mr. President, Much has been said about the arrest, detention, trial and conviction of Sri Lankan journalist Mr J.S. Tissanayagam. What to my mind is most important in regard to this matter is that due process was observed and he was detained and tried in accordance with the law within a period of approximately 18 months. While the merits of the case and the interpretation of substantive aspects of the law are purely a matter for the courts to decide upon, as a member of the executive and Minister for Human Rights, my first concern is to see that the law is observed. I already understand that measures are under way by his legal team to file an appeal before the appellate courts of Sri Lanka and am confident that the judicial process will mete out justice to this individual. Indeed, in comparison to journalists who have been detained for over two years in some cases and released without ever being charged in other conflict situations, Mr. Tissanayagam’s trial and conviction by the regular courts of the country is less odious and offensive to human rights norms and standards. I thank you.” Geneva, 14 September 2009