Sri Lanka gets balanced appraisal at UN Human Rights Review in Geneva

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The Working Group on the Universal Periodic Review (UPR) adopted the report on Sri Lanka this afternoon after a week of patient negotiations. The report was introduced by Cameroon on behalf of the troika who commended Sri Lanka for its commitment and skill.

Following the adoption of the 28 page report states have a period of two weeks to provide corrections and comments. They have to respond by the deadline of 2nd June. During the interactive dialogue Sri Lanka won high praise for protecting human rights while fighting terrorism from a majority of the delegations that took the floor last week. A number of delegations praised Sri Lanka for the quality of its national report, which identified national priorities, capacity-building and technical assistance needs. They also highlighted Sri Lanka’s meaningful contributions to the Human Rights Council, Sri Lanka’s ratification of most core international human rights instruments, its cooperation with United Nations mechanisms.; its democratic standing; the well developed institutional framework to promote human rights; inter alia the establishment of the Permanent Inter-Ministerial Standing Committee on Human Rights, the National Human Rights Commission and the adoption of the National Plan of Action for the Promotion and Protection of Human Rights. Hon. C.R. De Silva, Attorney General and Hon. Mahinda Samarasinghe, Minister of Disaster Management and Human Rights at the UPR Session on 13th May 2008 Delegations further stressed Sri Lanka’s valuable commitments and efforts made despite a number of long lasting challenges; including prolonged armed conflict and natural disasters. Remarkable achievements were also noted in the advancement of economic, social and cultural rights, including women’s health and survival. They appreciated the very comprehensive report presented by Sri Lanka and the openness and frankness with which responses were provided to both written questions. Of the recommendations made Sri Lanka accepted over half and undertook to examine and respond to others at the next session. The head of delegation and the Minister of Disaster Management and Human Rights Hon. Mahinda Samarasinghe assured delegations that Sri Lanka was fully committed to implementation of these recommendations and thanked them for their concern and support. A total of 68 delegations were to make statements during the interactive dialogue of the URP, however, due to time constraints only 56 speakers were allowed to do so. During his presentation before the Wor Group of the UN Human Rights Council for the Universal Periodic Review the Minister reaffirmed Sri Lanka’s commitment to the protection and promotion of human rights. The UPR of Sri Lanka was led by the troika of Bangladesh, Cameroon and Ukraine and held at the Palais des Nation in Geneva from 14:30 - 17:30 on 13 May 2008. Minister Mahinda Samarasinghe said “The promotion and protection of human rights, based on internationally accepted standards, is a priority for all democratic governments, and we believe it is our primary duty to safeguard the human rights of all Sri Lankan people. Indeed, a positive obligation is cast upon the branches of Government to safeguard those rights which find expression in our national Constitution. Moreover, we have fulfilled international obligations through participation in most key human rights instruments and labour conventions, the full implementation of which is also one of our goals. We expect one of the outcomes of participation in the UPR process will be that international partners will come forward to assist us achieve the priorities set out in our National Report”. Following the presentation by the Minister, representatives made comments and recommendations during the interactive dialogue. Several representatives, including those from Algeria, China, Cuba, Pakistan, Morocco, Palestine and Tunisa, praised the role played by H.E. Dr. Dayan Jayatilleka, Ambassador/Permanent Representative to the UN, Geneva both in the Human Rights Council and the Working Groups and emphasized the importance of his continuing contribution to discussions on human rights issues. Sri Lanka was commended for preserving democracy and protecting human rights while fighting terrorism by the delegations of India, China, Cuba, Pakistan, Nepal, Bhutan, Indonesia, Malaysia DPRK, Bahrain, Palestine, Russia, Saudi Arabia, Mexico, Syria, Colombia, Philippines, Belarus, Turkey, Japan, Egypt, Azerbaijan, Morocco and Tunisia. Sri Lanka High Level Delegation first row right to left H.E. the Ambassador Dr.Dayan Jayatilleka , Prof. Rajiva Wijesinha Secretary General SCOPP , Mr. Mohan Peiris P.C , Legal Advisor, Mr. W.J.S. Fernando, Deputy Solicitor-General , Second row right to left Mr. Nishan Muthukrishna, National Consultant, Human Rights Unit, Ministry of Disaster Management & Human Rights, Mr. Yasantha Kodagoda, Deputy Solicitor-General , Ms. Mohanthi Peiris, Director-General Legal, Human Rights and Humanitarian Law, Sri Lanka Army, Mr. Asoka Wijetilake DIG/CIDConstructive criticism was provided by the delegations of Austria, Brazil, France, Guatemala, Holy See, Latvia, Luxembourg, Romania, and Ukraine, while the delegations of Belgium, Czech Republic, Denmark, Finland, Ireland, Italy, Netherlands, Poland, Slovenia, Sweden, and the United States called for the establishment of an OHCHR field office in Sri Lanka. The delegations of both India and Japan, in welcoming the presentation and the reports, praised Sri Lanka for its steadfast commitment to democracy, and socio-economic achievements inspite of having to wage a 25 year old armed struggle to uphold the sovereignty and territorial integrity of the country. The representative of the Philippines said that his country faced similar challenges and commended Sri Lanka on gender equality and for its No.1 ranking on the Sub Index on Women’s Health and Survival of the World Economic Forum. The delegate of Belarus urged the international community as well as international organizations to assist Sri Lanka to combat terrorism while the delegate of Greece welcomed the establishment of the Ministry of Disaster Management and Human Rights. Many delegations criticized the recruitment of child soldiers by the LTTE, but also inquired about reported recruitment by the former Karuna faction and the role of the government, including with regard to the ongoing process of the release of child soldiers. A report on this issue was distributed to all delegations which had raised this question, in the absence of adequate time to respond in detail to this question. A profoundly sympathetic intervention came from the representative of the Holy See who congratulated the people of Sri Lanka on the forthcoming Buddhist festival of Vesak, and quoted the Buddha’s statement that hatred does not end by hatred but by love. Several countries raised questions and made recommendations regarding issues of abductions, disappearances, extra-judicial killings, torture and allegations of

impunity. The Attorney General replied in detail to these questions as did other members of the delegation of Sri Lanka with regard to questions raised about the abrogation of the Ceasefire Agreement, the reinvigoration of the 13th Amendment to the Constitution, and the role of the TMVP, the SLMM, the COI and the IIGEP. In the course of several statements congratulating Sri Lanka for its achievements with regard to Social and Economic Rights, questions were raised about equality of opportunity in these areas, including gender equality, human rights education and language policy. Though time was brief, it was possible to draw attention to recent developments in these areas to reinforce Sri Lanka’s current record of achievement. In response to questions about the introduction of external monitoring through the Office of the UN High Commissioner for Human Rights, The Minister made it clear that this was not necessary since the need of the hour was to strengthen national institutions. He welcomed the support extended several countries for this aspiration of the Sri Lankan government, as indicated in the Report and continuing correspondence in this regard. The Review process was followed by a reception for delegates to meet the Minister and several delegates who had raised questions took the opportunity to discuss these informally and confirm their support for Sri Lanka in its efforts to uphold Human Rights whilst struggling against terrorism. The delegation of Sri Lanka to the Second Session of the Working Group on the Universal Periodic Review consisted of Hon. Mahinda Samarasinghe, Minister of Disaster Management and Human Rights, Hon. C.R. De Silva, Attorney General, H.E. Dr. Dayan Jayatilleka, Ambassador/Permanent Representative to the UN, Geneva, Mr. Suhada Gamalath, Secretary, Ministry of Justice and Law Reform, Ms. Malkanthi Wickremasinghe, Secretary, Ministry of Constitutional Affairs and National Integration, Mr. Mohan Peiris, Legal Advisor, Mr. G.K.D. Amarawardena, Additional Secretary, Ministry of Disaster Management and Human Rights, Mr. Nishan Muthukrishna, National Consultant, Human Rights Unit, Ministry of Disaster Management & Human Rights, Prof. Rajiva Wijesinha, Secretary General of the Secretariat for Coordinating the Peace Process, Mr. W.J.S. Fernando, Deputy Solicitor-General, Mr. Yasantha Kodagoda, Deputy Solicitor-General, Maj. Gen. Ms. Mohanthi Peiris, Director-General Legal, Human Rights and Humanitarian Law, Sri Lanka Army, Ms. Shirani Goonetilleke, Director, Secretariat for Coordinating the Peace Process, Mr. Asoka Wijetilake, DIG/CID, Mr. Sisira Mendis, Director, Criminal Investigation Department, Mr. Sumedha Ekanayake, Counsellor Permanent Mission of Sri Lanka to the UN, Geneva and Mr. O.L. Ameerajwad, Counsellor Permanent Mission of Sri Lanka to the UN, Geneva.