
Mr Shavindra Fernando points out a misappreciation of Information during the HRC

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Taking the floor during the clustered Interactive Dialogue with the Special Rapporteur on adequate Housing, Deputy Solicitor General – Mr Shavindra Fernando, presenting the Sri Lankan statement, pointed out that some information contained in the Report of the special Rapporteur, was not accurate. ‘the information provided in the Report of the Special Rapporteur is perhaps a misappreciation of legal provisions with regard to the ownership of land’ he said. Mr Fernando went on to clearly outline the laws and provisions governing land ownership in the country and further explained the country's personal laws, relating to the respective cultural norms. Referring to modifications to these personal laws, Mr Fernando emphasised that any such project should be the initiative of the concerned ethnic group. Full Text of Statement:

Madam President, We take note of the report by the special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context. In Sri Lanka, the ownership of property and the right to housing is a right of all and is secured by National Legislation, irrespective of gender and ethnicity. Hence the information provided in the Report of the special Rapporteur is perhaps a misappreciation of legal provisions with regard to the ownership of land. It must be borne in mind that there is absolutely no bar to any person irrespective of ethnicity of owning and enjoying land in any part of the country. It must also be appreciated that the head of a household is not necessarily a male and that the ownership of land by females, irrespective of whether they enjoy the position of being the head of the household is prevalent throughout the country. There is therefore no linkage of whatsoever nature of the ownership of land and the status of being the head of the household. However, as a multinational and multicultural society, there exists in Sri Lanka personal laws, which are based on respective cultural norms of the different ethnic groups that live in Sri Lanka. As a country that respects and encourages the co-habitation of the different cultures on its soil and recognizing the enrichment of its social fabric by these diverse cultures, the Government of Sri Lanka is of the view that any modification of personal laws should be at the initiative of the concerned ethnic group. This is to ensure that there is no imposition of National legislation on the minority groups. The parliament of Sri Lanka recognizing the importance of unity in diversity has always given sanction to these personal laws of the different ethnic minorities in order to ensure that their social fabric remains undisturbed. This is in consonance with the request of all communities living in Sri Lanka for the recognition of their unique cultural values. Thank you madam President.