Ambassador Kunanayakam addresses the Council under Agenda Item 10

Thursday, 22 March 2012
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Madam President, My delegation recalls Resolution A/HRC/S-11/2 adopted at the 11th Special Session on Assistance to Sri Lanka in the promotion and protection of human rights which recognizes that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings, and urges the international community to cooperate with the Government of Sri Lanka in its post-conflict reconstruction efforts. My delegation also recalls paragraph 4 of the GA Resolution 60/251 which established the HRC and importantly the principle that ‘advisory services, technical assistance and capacity building’, be ‘provided in consultation with and with the consent of member countries concerned’.

In the above context, my delegation is strongly of the view that the draft resolution tabled by the US in the current Session urging Sri Lanka to accept advise and technical cooperation from the OHCHR and the Special Procedures mechanisms, without being consulted nor with its consent, fundamentally violates the aforementioned GA Resolution under reference as well as the UN Charter requirement that human rights shall be promoted through international cooperation, and is tantamount to interference by virtue of the imposition of such assistance. Given the clear and decisive outcome of the 11th Special Session of the HRC in May 2009, which called upon the international community to cooperate with the Government of Sri Lanka in its endeavours towards overcoming the challenges posed in the aftermath of the long drawn out conflict, and the considerable progress made by Sri Lanka in the post-conflict phase towards achieving reconciliation and development, my delegation is strongly of the view that it is counterproductive, inappropriate and unwarranted to reopen and revisit the issue by virtue of the draft Resolution before the 19th session. We would therefore urge the proponents of the resolution to constructively engage with Sri Lanka in a spirit of cooperation, further enabling the consolidation of gains made in the post-conflict phase, without resorting to action within the Council which is unnecessary and misconceived. I thank you Madam President.