
Statement made by Mr Mohan Peiris under the thematic discussion on technical cooperation

Thursday, 22 March 2012

Last Updated Thursday, 22 March 2012

Statement made by Mr Mohan Peiris under the thematic discussion on "Sharing of best practices and promoting technical cooperation: paving the way towards the second cycle of the universal periodic review"; Madam President, We have been repeatedly reminded 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 kind. It urges States to cooperate with Governments in that process.

I'm compelled to refer to paragraph 4 of GA resolution 60/251 which established the Human Rights Council. Its predecessor the Human Right Commission after a lifespan of 60 years, had to respond to the criticism that it acted in a manner repugnant to principles similar to those laid down in GA resolution 60/251. It is well to remember that years later, this Council is at risk of failing the test set for it by the General Assembly. In this context I'm harkened to note the very strong sentiments expressed by the HC herself and many of the member states of the special place enjoyed by the UPR mechanism. SL cannot but agree that the work is guided more recently by the UPR. And that the UPR mechanism has opened great vistas and unprecedented opportunities to initiate and strengthen dialogue on matters pertaining to human rights at every level and in all countries. The HC aptly describes the UPR as the most invaluable tool of the human rights council. This view is clearly confirmed by the fact that 38 paragraphs have been dedicated to the UPR process in the institutional building rules 5/1 of the United Nations human rights council. It is also laudable to note that this council sees the UPR mechanism as an opportunity to links cooperation more closely to development efforts. Madam president, Although the jurisprudence of the mechanism appears to be clearly laid down and understood it is not enough to pay lip service to these rules. We need to give true meaning to this mechanism if we really mean what we say. We must learn to wait for it and generously resort to it. We cannot be seen to develop mechanisms outside the procedures established by the rules in this Council and defeat the very objective of the UPR mechanism. We must not fall victim to the culture of maximizing selectivity when in fact the General Assembly has mandated it to minimize selectivity. Sri Lanka presents itself in the second cycle of its UPR in the latter of this year, and looks forward to placing before this council the progress it has made in the promotion and protection of human rights. We would therefore urge the members of this Council to vigorously discourage any attempts to devise procedures outside the procedures established by this Council and to jealously guard the special place accorded to the UPR process.