



## A D D R E S S

by

**Hon. Mahinda Samarasinghe  
Minister of Disaster Management and Human Rights  
of Sri Lanka**

**at the First Session of the  
Human Rights Council - Geneva**

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*(check against delivery)*

**Mr. President,  
Excellencies,  
High Commissioner for Human Rights,  
Distinguished delegates,**

On behalf of the Government of Sri Lanka, and on my own behalf, may I congratulate you Mr. President on your election to the Chair of this historic inaugural session of the UN Human Rights Council. I would like to assure you my delegation's support and cooperation as you undertake the onerous task of presiding over the deliberations of this august body.

**Mr. President,**

Today is a historic day for all those who have worked relentlessly during the past several years to make the UN human rights machinery more responsive, accountable and able to heed the voices and sentiments of the countless numbers of the aggrieved more effectively and to act more decisively. The international community stands on the threshold of a new beginning today in the global campaign for the promotion and protection of human rights, one of the central missions of the United Nations.

We hope that the creation of this new body will usher all of us from "an era of declaration" to "an era of implementation" where the promotion and protection of human rights become a cross-cutting and integrated item of all our activities, whether they relate to development, security, conflict resolution, peace-building or peace-keeping. No State – whether that State is a member of this Council or not - can be oblivious to the widening ramifications and consequences of human rights violations, which affect the very foundations of democracy, peace and stability and sustainable development.

This new era therefore should in large measure focus on the further implementation of norms and standards that have been established during the past six decades through further strengthening of national institutions and frameworks for the promotion and protection of human rights, all over the world.

**Mr. President,**

As a small developing nation and a vibrant democracy in Asia, Sri Lanka was heartened and humbled by the vote of confidence bestowed on us by the international community, in electing us to the Human Rights Council. We pledge our continued commitment and constructive engagement to enable this Council to carry out its mandate – as stipulated in General Assembly resolution 60/251 – "to promote universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner".

For the first time in Sri Lanka, a Cabinet Ministry to deal with the subject of human rights has now been established by President Mahinda Rajapaksa as a clear demonstration of his resolve and commitment to promote and protect the rights of all people living in Sri Lanka. Under my Ministry, I have set up an Advisory Body consisting of State officials and civil society leaders to work together and report to me including undertaking fact-finding field visits.

**Mr. President,**

The Permanent Standing Committee on Human Rights, set up to provide policy guidance and leadership to the State machinery with regard to the promotion and protection of human rights, met just two weeks after Sri Lanka was elected as a member of this Council, in order to take stock of how the pledges made during our campaign could be implemented as early as possible. A large number of decisions taken at that meeting co-chaired by the Minister of Foreign Affairs and myself will serve as our road map in the coming months. These decisions have already been published widely in the press for purposes of transparency.

Under my Chairmanship, the Inter-Ministerial Committee on Human Rights, which is the executing arm of the Permanent Standing Committee on Human Rights, has already taken a number of steps towards implementing our pledges, *inter-alia*:

- the Inspector-General of Police will be issuing the procedures that should be followed on the arrest and detention of persons. This will be given wide publicity;
- on a regular basis we are monitoring and encouraging the speedy conclusion of all pending investigations;
- a working group has been appointed to make appropriate recommendations to establish a mechanism, in addition to the currently available avenues, for the payment of compensation to victims of violations of human rights including torture;
- the establishment of the Witness Protection Programme and the draft Victims Rights Act has almost been completed. This will also expedite and support investigations;
- the drafting of the Human Rights Charter has already commenced and wide consultations with all stakeholders including civil society is in process;

- in keeping with our pledge the Government of Sri Lanka will invite the UN Special Rapporteurs on torture and on freedom of expression to undertake missions;
- the reports of the two Special Rapporteurs who visited Sri Lanka last year – on freedom of religion and on extra-judicial killings are being studied by a Committee with the objective of implementing their recommendations.

**Mr. President,**

Due to the present stalemate we are experiencing with regard to the appointment of the Constitutional Council, I wish to inform that President Mahinda Rajapaksa has decided to recommend to Parliament the appointment of a multi-party Parliamentary Select Committee with a view to resolving the procedural shortcomings and further strengthening of the democratic governance objectives of the 17<sup>th</sup> Amendment to the Constitution under which the Constitutional Council was set-up. We view this exercise as a further confidence-building measure among all citizens in Sri Lanka. With this corrective action, we hope that all impediments to the effective functioning of the Constitutional Council and independent commissions will be removed.

**Mr. President,**

Sri Lanka has over the years followed a tradition of close and constructive cooperation with all human rights mechanisms even during the period of the armed conflict. Our experience in dealing with violence and terrorism has made us acutely aware of the need to demonstrate Sri Lanka's commitment to openness and accountability in the promotion and protection of human rights even under difficult circumstances.

On the directive of President Rajapaksa I have taken immediate action to ensure that the movement of material and equipment for reconstruction and development activities in the North and East is carried out while maintaining accountability and transparency. My Ministry has been given a mandate to assist in coordinating matters relating to the IDP's as well as other humanitarian assistance in the Northern and Eastern Provinces. I hope to do this in close cooperation with UN and International organizations. The continued support of UNHCR and ICRC in the areas affected by the conflict has been invaluable over the years, in particular during the unprecedented tsunami disaster in December 2004.

The Government is also aware of the difficulties faced by some members of the international NGO community working in the conflict-affected areas. The Government has unreservedly condemned the recent terrorist attacks on some members of the international NGO community who were playing a supportive role to the State machinery in providing basic amenities, welfare measures and

relief and rehabilitation to the people in the conflict-affected areas. I have instructed the law enforcement authorities to accelerate the investigations into these attacks in order to bring the perpetrators to justice, without delay.

Sri Lanka today is well on its way to achieving the Millennium Developments Goals through the involvement of a wide range of partners and stake holders who have succeeded in creating broad national ownership and awareness of these goals.

The care of children is a matter in which the President of Sri Lanka takes a personal interest having declared the year 2006 as the National Year of Children under which a Plan of Action has been formulated and projects are being implemented. Sri Lanka will soon become a Party to the Optional Protocol to the Convention on the Right of the Child on the Sale of Children, Child Prostitution and Child Pornography. Sri Lanka also remains in the forefront of the campaign to have the use of child soldiers condemned and banned worldwide. The LTTE has for many years been engaged in recruiting children for armed combat. Despite their solemn undertaking given to UNICEF, the LTTE has continued the practice of recruiting thousands of children in most cases by force which is well documented by UNICEF and international NGOs. Much of the complaints registered by the Sri Lanka Monitoring Mission against the LTTE pertain to deliberate violations of the rights of children. The Government is in the process of finalising the terms of reference of the Task Force on monitoring and reporting on this matter in accordance with Security Council Resolution 1612.

**Mr. President,**

The Government of Sri Lanka has noted the recent announcement by the European Union concerning the listing of the LTTE as a terrorist organization under EU regulations. This is the latest in a series of deterrent measures by the international community concerning acts of violence perpetrated by the LTTE against innocent civilians, ceasefire monitors and security forces, with the intention of undermining the Government's peace efforts, to engage the LTTE in a credible and sustainable process of negotiations.

We note with serious concern that LTTE's acts of violence are not confined only to military targets, but increasingly to civilians and non-combatants as well. One tragic example was the recent senseless LTTE terrorist attack on a bus full of innocent civilians including many mothers and children travelling to a free government health clinic at Kebithigollewa last week. This has drawn international condemnation. In his condolence message President Rajapaksa reiterated that "whatever savage and barbaric acts the LTTE may indulge in, we will never allow our search for peace to be derailed". Notwithstanding this the

Government is committed to investigate and bring to a conclusion all attacks on innocent civilians. The culprits when identified will be brought to book.

We are grateful to the international community who have been unanimous in their appreciation of the patience and restraint shown by the President His Excellency Mahinda Rajapaksa in the face of extreme provocation.

**Mr. President,**

The Government is of the firm conviction that solutions to the issues at hand have to be sought only through political means and not through military means. As articulated by President Rajapaksa, I wish to assure you that the Government of Sri Lanka will continue to press ahead with its search for a political solution to the conflict, based on democracy pluralism and human rights that meets the aspirations of all communities in Sri Lanka.

We are of the firm commitment that this can only be done through the process of sustained dialogue. To this end, we express the hope that the international community will continue to play a positive role in encouraging all parties to the conflict to engage in a sincere dialogue towards finding a political solution acceptable to all communities in Sri Lanka. Sri Lanka is a multicultural, multi-religious and multi lingual society. We are of the firm conviction that it is only through the respect of this diversity that we can cultivate the unity among all Sri Lankans resulting in a truly Sri Lankan identity and sustainable development.

In conclusion, Mr. President, let me refer to the new priority given in General Assembly Resolution 60/251 to human rights education and learning, advisory services, technical assistance and capacity building to be provided at the request of and with the consent of member states. This is a solid platform to bring a new development dimension into this area and stimulate dialogue for cooperation' in the new Council, and to this end Sri Lanka will make a contribution of US\$ 10,000 to the Voluntary Fund for Technical Cooperation.

**Thank you.**