

Opening Remarks by Sri Lanka
During the adoption of Sri Lanka's 4th Universal Periodic Review Report
10 July 2023

Mr. President

Excellencies

Distinguished Delegates

It gives me great pleasure to present to you the final position of the Government of Sri Lanka on the recommendations received during the 4th cycle of our UPR Report.

The mechanism of the UPR marks the culmination of a long review process of the international human rights machinery. We value the fact that this mechanism provides an equal opportunity for all UN member States, without discrimination, to voluntarily share the progress made domestically to promote and protect human rights. This peer review process has contributed to reducing selectivity and politicization in our efforts to advance the cause of human rights. It enables constructive engagement on developments related to human rights with our international partners, national independent institutions, civil society, and the UN system.

2023 is the 75th anniversary year of Sri Lanka's independence. The Government considers this on the one hand as a year of economic stabilization and reform, and on the other, of national reconciliation and unity. The Government is taking significant steps to address national reconciliation issues, while at the same time making every effort to pursue economic reforms to mitigate the recent challenges faced by the country.

It is in this background that Sri Lanka engaged in the 4th Cycle of our UPR on 1st February this year. Let me at the outset thank all the delegations that took part in the Review, including those that provided advance questions.

Sri Lanka received a total of **294 recommendations**.

All recommendations were carefully examined by the Government. In deciding our response, it was necessary to take into consideration Sri Lanka's domestic, legal and constitutional framework and the scope of national policy priorities and plans. It was also important to consider whether these recommendations were in line with and consistent with the international obligations, commitments and positions Sri Lanka has voluntarily undertaken.

The Ministry of Foreign Affairs, as the lead Government Agency responsible for coordinating UPR related matters, held a series of consultations with all relevant Government authorities before formulating the position on the recommendations received during the 4th Cycle.

Following this extensive process, Sri Lanka has decided to **support 173 recommendations and take note of 115**.

Six recommendations that had a reference to HRC resolution 30/1, 46,/1 51/1 could not be considered and as such had to be rejected due to the Government's stated position on those resolutions.

Mr. President,

As a **State Party to all 09 core human rights instruments** Sri Lanka's commitment to genuine dialogue and cooperation in human rights is manifest in our continuous and constructive engagement with the UN for decades.

We have always participated actively in the regular Human Rights mechanisms. In March this year, Sri Lanka participated in the review of its 9th periodic report under the ICCPR. Sri Lanka has also extended a

standing invitation to the UN Special Procedures, while the most recent visit undertaken to Sri Lanka was by the Special Rapporteur on Contemporary Forms of Slavery in December 2021.

Two thirds of the recommendations received pertaining to the independence of the **National Human Rights Commission** is also supported, including those referring to the provision of adequate resources for it to carry out its tasks effectively in accordance with the Paris Principles.

We also received a significant number of recommendations pertaining to the **Prevention of Terrorism Act, (PTA)**. Given the changed circumstances in the country since the PTA was enacted, a Cabinet Sub Committee was appointed in September 2022 to develop new anti-terrorism laws that would balance national security concerns with international standards and best practices. Pursuant to the gazetting of the Bill, the Ministry of Justice has actively reached out to engage in further consultations and receive additional views.

The Government has further undertaken to repeal the PTA as a **voluntary pledge**.

Mr. President

Sri Lanka remains committed to pursuing efforts to achieve tangible progress in national reconciliation through domestic mechanisms with the assistance of international partners.

Measures already undertaken by the Government include, a participatory and inclusive process of constructive engagement with all parties, discussions held by the President with minority political parties, and the appointment of a **Cabinet Sub-Committee on Reconciliation** under the President's chairmanship to give policy guidelines on reconciliation matters.

Discussions are being held on the contours of a **truth and reconciliation mechanism** that would suit Sri Lanka in keeping with its constitutional framework. The advisory committee appointed to work on this matter will continue consultations with relevant stakeholders with a view to facilitating the drafting of required legislation.

Furthermore, Sri Lanka **voluntarily pledges** to ensure **women's participation** in all measures and mechanisms connected with national reconciliation.

Another **voluntary pledge** undertaken by the Government is to continue supporting the **Office on Missing Persons (OMP) and the Office for Reparations (OR)** including through adequate funding, resources and capacity building.

Mr. President,

The Constitution of Sri Lanka guarantees the **fundamental freedom** of its citizens, irrespective of race, religion, language, caste, sex, political opinion, place of birth or any such ground. Thus, it is the duty of the Government to ensure that the fundamental freedoms of **all** citizens are protected, without distinction. The Government has further **voluntarily pledged** to take steps towards ensuring non-discrimination on the basis of sexual orientation and gender identity.

In guaranteeing fundamental freedoms, the Constitution of Sri Lanka also provides permissible restrictions to ensure that the freedom of speech and expression, peaceful assembly and association are subject to such restrictions as may be prescribed by law in the interests of **national security, racial and religious harmony**. This is particularly important given the multicultural character of Sri Lankan society.

In keeping with our focus on women's and children's rights, Sri Lanka supports all recommendations received on **trafficking in persons** and commits to continue efforts towards combating all forms of trafficking in persons, including of women and children.

Furthermore, we voluntarily undertake to safeguard and advance the **rights of children** through the National Child Protection Authority and the Ministry of Women, Child Affairs and Social Empowerment. The Government will also increase efforts to **strengthen the protection of children** from child labor, domestic violence and sexual exploitation by strengthening all relevant legislation.

Similarly, all recommendations relating to **labour rights and the right to work, social security, and adequate standard of living** are supported by Sri Lanka, an indication of our commitment to eliminating any disparities between men and women and other discriminatory laws and policies.

Over two thirds of recommendations relating to **health** are supported in accordance with Sri Lanka's legislative framework and cultural norms. Furthermore, the Government is focussing on health awareness and education in all aspects, including mental and reproductive health care.

Children in Sri Lanka have access to free **education** in the public sector at all levels. The Government supports all recommendations on **education**, including those relating to human rights education, and access to education for persons with disabilities and in rural areas.

Measures are being taken to address **violence against women through the** adoption of a national policy on **Gender Equality and Women's Empowerment**. In this regard, necessary measures will also be taken to amend the legislation on divorce, to include domestic violence and divorce by mutual consent, as valid grounds.

An independent "**National Women's Commission**" proposed to be established, will include in its mandate, giving leadership on legal and policy reforms, and making recommendations to Parliament for interventions on issues of gender equity and equality. An independent Ombudswoman on gender issues is also to be appointed under the Office of the Ombudsperson to investigate and provide redress for injustices against individual women in the public sector.

Mr. President, Excellencies, Distinguished delegates,

Sri Lanka values all comments and recommendations received from Member States, and will continue to work towards implementing those that are supported by the Government, as well as those undertaken during the previous Review cycles.

The primary objective would be to ensure the **protection from harm**, and the **well-being**, of **all** Sri Lankans, without discrimination.

In this exercise, Sri Lanka will continue its constructive engagement with all international partners, the United Nations and this Council, within the framework of our Constitution.

Thank you.