



**The Permanent Mission of Sri Lanka to the
United Nations and other International Organizations in
Geneva**

**Human Rights Council
24th Regular Session**

Oral Update of the High Commissioner for Human Rights on Promoting
Reconciliation and Accountability in Sri Lanka
(Agenda Item 2)

**Statement by H.E. Mr. Ravinatha P. Aryasinha
Ambassador / Permanent Representative of Sri Lanka and
Leader of the Sri Lanka Delegation**

(Geneva, 25th September 2013)

Mr. President,
Madam Deputy High Commissioner,

My delegation wishes to raise a procedural point and express its strong objection to the manner in which the Oral Update of the High Commissioner on 'Promoting reconciliation and accountability in Sri Lanka' has been made available by the OHCHR. I wish to place on record that we received a copy of the statement only at 18:30 hrs last evening (24 September 2013), despite several queries and reminders, leaving us with only a night to prepare our response to the update, as the country concerned.

In this regard, I wish to draw the attention of this Council to HRC resolution 5/1, specifically Rule 14 (47) and Paragraph 117 which casts a duty on the OHCHR that acts as the Secretariat to the Council to prepare and circulate documents, as well as stipulating the need for the early and timely distribution of documents and reports for consideration by the Council. Additionally, the Rules of Procedure of the General Assembly on the Preparation and Distribution of Documents, specifically Paragraph 107, also refers to the need to observe the timely distribution of documents, including by the subsidiary organs of the General Assembly. I have already brought this concern to the attention of the President of the Council.

We urge the Council to take note of such violations of Rules of Procedure by the OHCHR in order to ensure non-repetition in the future.

GOSL reply and the 22/1 resolution

It is recalled at the outset that the Oral Update of the High Commissioner which is presented today originates from Council resolution 22/1 on 'Promoting reconciliation and accountability in Sri Lanka' which was rejected by the Government of Sri Lanka. The resolution under reference was adopted with a vote in Council.

The GOSL in its statement to the 22nd session of the Council in March this year reiterated that the resolution 22/1 was not the result of an objective assessment of the ground situation in Sri Lanka, but the outcome of a politicised process, premised on a report (A/HRC/22/38) which exceeded the mandate granted by previous resolution 19/2. The GOSL also submitted that the resolution 22/1 was in contravention of GA resolution 60/251 as well as the Council resolutions 5/1 and 5/2 that should guide the work and method of engagement of the Council.

However, notwithstanding our rejection of resolution 22/1, the Government has continued with its genuine and credible commitment to the reconciliation process within the framework of its own mechanism, the National Plan of Action on the implementation of the recommendations of the LLRC.

Provincial Council Elections

While pursuant to an invitation extended to her in April 2011 the Government received the High Commissioner in Sri Lanka from 25 to 31 August 2013, it is pertinent to note that as I take the floor today, the Government and the people of Sri Lanka last Saturday (21 September) completed the election to 3 of the 9 provincial councils, which by all accounts have been free and fair - the ultimate 'litmus test' of any democracy. The election has been welcomed by the High Commissioner in her Update as having been "successfully held". In it, two of the most populous multi-ethnic, multi-racial of provinces, the North Western and the Central, overwhelmingly returned the ruling United People's Freedom Alliance (UPFA) coalition to office, with popular votes of 66.43% and 60.16%, while the leading opposition United National Party (UNP) secured 24.21% and 27.79% respectively. The Northern Province gave the ruling coalition 18.38% and the UNP 0.68%, while the ethnic Tamil party the Ilankai Tamil Arasu Kadchi (ITAK) secured 78.48%, which remains testimony to the vibrant and pluralistic nature of Sri Lanka's democracy.

It is particularly noteworthy that elections to the Northern Provincial Council were held for the first time since the introduction of the Provincial Council system in Sri Lanka in 1987. As President Mahinda Rajapaksa stated earlier this week, "holding an election to provide the people in the North who were under terrorist control for three decades the right to elect their own administration, is a victory for the government". Let me assure the High Commissioner that the Government of Sri Lanka will continue to work with all Provincial Councils in the country, which includes the new Northern Provincial Council. Therefore the High Commissioner's "recommendation" to work with the Northern Provincial Council is a misnomer and has hallmarks of prejudgement on the delivery of a sovereign government's responsibilities. Further, it may be recalled that the High Commissioner has observed that the achievements made by the Government in resettlement, reconstruction and rehabilitation in a short period are impressive. Therefore it is puzzling that she must recommend the development of new oversight mechanisms for reconstruction and development programmes, when the Government on its own accord has expended approximately 3 billion dollars for these purposes.

Those, including some in this Council, who claimed that provincial elections in the North will never be held, that voters would be intimidated and inhibited from exercising their franchise, and that the process of voting would not be free and fair, have been proven wrong, given the large voter turn out and 2/3 majority to the winning party. The poll conducted with the presence of some 2000 election observers including 24 from the South Asian region as well as from Commonwealth countries, saw a 67.52% turnout in an electoral roll of more than 700,000 persons. It must be remembered that sections of the Tamil diaspora strongly opposed Tamil parties participating in this election.

With regard to diaspora interests, my delegation considers it pertinent that the High Commissioner in her press statement at the end of her visit to Sri Lanka conveyed a strong and clear message to sections of the Tamil diaspora affiliated with the former LTTE, by declaring that "the LTTE was a murderous organization that committed numerous crimes and destroyed many lives" and that "those in the diaspora who continue to revere the memory of the LTTE must recognize that there should be no place for the glorification of such a ruthless organisation". We consider this assertion by the High Commissioner to be important given that much of the action against Sri Lanka in the Council is emanating from a politicized process led by countries whose interests and compulsions are driven and influenced by certain extreme elements of the diaspora, offering electoral favours. We recall in this regard the incident of the accreditation of some members of the diaspora with questionable credentials by a country delegation during the 22nd session to lobby in support of action against Sri Lanka in the Council, which surprised many member and observer states in the Council. For reconciliation in Sri Lanka to succeed, such countries must not give succour to diaspora organizations, who advocate mono-ethnic separatism in Sri Lanka while espousing the ideology of the LTTE, using its money and being manipulated by surviving political and military leaders of the LTTE who continue to live in Western countries.

High Commissioner's visit

There is no doubt that there remains work to be done to complete the ongoing reconciliation process in Sri Lanka. However, given the High Commissioner's own admission while in Colombo that her visit was her "longest visit", and that she was able to "go anywhere and see anything" that she "wished to see" including the former conflict-affected Northern and Eastern provinces, her opportunity to call on the President and have candid discussions with senior Cabinet Ministers and Government officials, opposition MPs, and that she was also able to meet independently with a wide range of civil society and attend events organised by civil society activists and organizations, there was legitimate expectation in Sri Lanka that

the High Commissioner would adopt an objective and unbiased approach to the country in her Oral Update to the Council. It is unfortunate that this is not the case.

Development and focussed areas of concern

Sri Lanka's view is that a pragmatic, context-specific approach must be adopted in addressing issues of transition, and in this regard the particularities of each state and the aspirations of its people need to be taken into account. Sri Lanka has undertaken a harmonious and holistic approach to reconciliation, taking into consideration a range of cross-cutting issues. These actions initiated shortly after the ending of the terrorist conflict in May 2009, are presently being continued in the context of the National Plan of Action for the implementation of the recommendations of the LLRC, which in July 2013 took on an additional 53 recommendations, in a time bound manner. We note that the High Commissioner has welcomed this. As for the suggestion that the Government would benefit from holding public consultations on the LLRC Plan of Action which is coterminous with the National Plan of Action on the Promotion and Protection of Human Rights (NHRAP), it has to be recalled that the latter is the product of a consultative process with civil society. Sri Lanka however remains open to learning from the best practices of other states, as well as the UN system and credible international non- governmental organizations such as the International Committee of the Red Cross (ICRC), with regard to reconciliation.

In this context, GOSL's considered view with respect to many of the issues flagged in the High Commissioner's report has already been comprehensively responded to in our statement under Agenda Item 2 General Debate, as well as the numerous other interventions made during the course of this session as has been the past practice. However, for purposes of record, let me re-iterate them;

All IDP welfare centres were closed in September 2012 and with the exception of a few transit centres in the Jaffna and Sampur areas, all IDPs resulting from those held by the LTTE as human shields at the conclusion of the terrorist conflict, have been resettled. Only those Sinhalese and Muslims (over 90,000 at the time) who faced ethnic cleansing from Jaffna in 1990 at the hands of the LTTE, remain to be resettled. The Government of Sri Lanka does not distinguish between the IDPs displaced at the end of the armed conflict, and those displaced before 2008/2009, and are equally committed to the resettlement of both categories. We hope that the upcoming visit of the Special Rapporteur on IDPs to Sri Lanka in December this year will provide an opportunity for us to share our best practices on IDP resettlement with the international community.

Approximately 99% of the areas identified for demining have been cleared and less than 89 sq. km remain to be demined.

Of the 12,220 former LTTE combatants that have surrendered to the government as of 23 September 2013, 96.2% have been rehabilitated and integrated into society. Only 225 are currently undergoing rehabilitation and 91 remain under legal proceedings.

Out of the 4869 arrested since 1 January 2006 under the Prevention of Terrorism Act (PTA) and Emergency Regulations, 87% have been released, legal proceedings are on-going in many of the cases and only 109 remain in custody. The detainees have been afforded with judicial guarantees such as access to justice before courts inclusive of fundamental rights applications, and their detention could be challenged in legal proceedings. Their family members, legal representatives as well as the National Human Rights Commission have unimpeded access to them, in addition to the facilities afforded to the ICRC. With regard to reported problems related to legal representatives of detainees accessing Boosa detention centre, the GOSL requests specific details of the same in order to address this issue.

The HC also refers to 50 cases of arbitrary arrests recorded between 2009-2013 which had been brought to her attention. In this regard also, the GOSL requests for this information to be shared, so that we could respond to this allegation.

Having accomplished the above in bringing normalcy to the lives of the civilian population, GOSL has also taken positive steps to address issues of accountability. The GOSL strongly repudiates the High Commissioner's assertion that if certain concerns are not comprehensively addressed, she believes "the international community will have a duty to establish its own inquiry mechanisms". We also note that the HC has no mandate to make such a claim. Multiple mechanisms to address accountability have been put in place and are in motion as a continuous progression from the LLRC process.

In August 2013, the Government appointed a three-member Commission to Investigate Allegations of Abductions or Disappearances related to the conflict. This Commission has a wide mandate and is tasked with investigating cases of persons missing from the Northern and Eastern provinces from 1990 to 2009 period. The Commission will conduct hearings in all districts. Evidence can be provided in all 3 languages. The Commission has been authorized to conduct necessary inquiries and investigations and submit a report to the President within six months. The Government is also working with the ICRC on the issue of missing persons. The Government remains committed to bring to book perpetrators when credible evidence is available in cases of disappearances.

With regard to concerns expressed by the High Commissioner, it is emphasised that all reported cases of disappearances are being comprehensively investigated by the Police, whether "white van" or otherwise. Information on this process was provided in the National Report of Sri Lanka to the UPR in 2012.

In addition, as informed to the Council previously, the GOSL in 2012 established an inter-ministerial working group to respond to the Working Group on Enforced and Involuntary Disappearances (WGEID). Increased focus has been placed by the GOSL to address cases brought to its attention by the WGEID. The GOSL continues to clear the backlog of these cases and an Inter-Agency team has been appointed headed by Deputy Inspector General of Police to conduct ground verifications to ascertain present facts. Such endeavours clearly indicate the GOSL's deep concern and profound commitment to address cases of alleged disappearances. As a result of the continuing work of this team, details of persons who were alleged as disappeared but have been found alive, will be made available to the WGEID shortly. These individuals include some LTTE cadres and a few who have illegally migrated overseas.

The non-summary inquiry on charges of murder against all suspects in the case of the killings of 5 students in Trincomalee commenced on 9th September 2013. Examination in chief and cross examination of three prosecution witnesses were concluded and the Attorney General has moved for summons on the first 30 witnesses for 29th October 2013 in order to ensure an expeditious conclusion of the non summary inquiry. All 13 suspects have since been interdicted from service and the concerns of any likelihood of interference with witnesses or tampering with evidence by using their official position have thus been addressed.

A team of officers from the Attorney General's Department have reviewed material on the case of 17 ACF aid workers, including the records of the Commission of Inquiry as well as archived material. The Attorney General has given directions to the Police for further investigating the case following which the possibility of prosecution will be considered if the perpetrators can be identified.

The Court of Inquiry appointed by the Army is now investigating the second part of their mandate i.e. to investigate the Channel 4 allegations, which commenced in March 2013. The identification of potential witnesses is currently in progress and once identified they would be formally called as witnesses.

As for custodial deaths of prisoners, with respect to Welikada, all steps are being taken to ensure a comprehensive and speedy investigation. The complexity and the magnitude of the investigation require a reasonable time to cover all aspects. With respect to Vauniya, investigations conducted up to now do not disclose sufficient material to attach criminal responsibility to any particular person.

The draft legislative framework 'Protection of Victims of Crimes and Witnesses Bill' for an effective and efficient witness and victim protection scheme has been re-submitted to Cabinet following amendments to the text, by the Attorney General's Department. The Government is mindful of the need to strike a balance between the accused person's right to a fair trial and the need to protect victims and witnesses.

It has to be asserted that with the termination of military operations and the gradual restoration of normalcy, the presence and strength of the military in the North has been reduced considerably. This is a process and further rationalisation of their presence would be considered in line with national security interests. The high security zones have ceased to exist. The full responsibility for law and order has been handed over to the Police with the establishment of more police stations (16 new stations and 3 new posts) and the recruitment of more Tamil speaking Police personnel (1447) to serve in these areas. The acquisition of private land, if any, could be challenged in courts, and compensatory relief could be ordered by courts in the case of unlawful acquisitions.

Civil administration continues to be strengthened in the Northern and Eastern provinces and its functioning remains unimpeded. It is recalled that the High Commissioner herself was witness to this during her field visit to these provinces and was also provided with comprehensive briefings on the development process by the respective civil administration.

With regard to the vulnerability of women and girls to sexual harassment and abuse in the North as referred to in the Update, it may be noted that Sri Lanka already has a zero tolerance policy on sexual harassment and on abuse of women and children. The Court of Appeal recently affirmed the conviction and sentence entered by the High Court of Vavuniya on a Police Officer for committing rape on a girl of Tamil ethnicity. The convicted Police Officer was sentenced to 12 years imprisonment and was ordered to pay compensation to the victim. There have been repeated attempts to draw a non-existent correlation between the presence of the military in the North and insecurity of women and girls in that region. A comprehensive study undertaken of incidents of sexual offences which have occurred in the North has revealed that out of a total of 375 reported incidents during the conflict and in the post conflict periods (2007-2012), only 11 incidents (involving 17 security forces personnel) can be attributed to the security forces. Therefore, the inference that the presence of the military contributes to insecurity of women and girls in the former conflict affected areas is baseless and disingenuous. Legal action has been taken by the Government in all of the above cases in which the Sri Lankan security forces personnel have been involved. The military has taken strict action to either discharge or award other punishments to these personnel. Furthermore, cases have also been filed in civil courts, some of which are pending in Courts and with the AG's department. In a majority of the aforementioned cases, the perpetrators have been close relatives or neighbours of the victim. The GOSL deplures all such acts of violence against women and girls and has taken concrete action against reported cases and will continue to do so.

With regards addressing the need for counselling and psychosocial support for those who have been affected by the prolonged conflict, pursuant to the LLRC NPoA, special counselling programmes have been planned by the Ministry of Child Development and Women's Affairs, and Psychosocial and Child Protection Assistants have been recruited for this purpose. Several counselling and psychosocial support programmes are conducted in the North and East. These programmes reached 45,991 people (including 3224 in 2013) in the two provinces. This number also included 2208 ex-combatants during 2012 and 2013. To date, 29 special counselling programmes have been conducted for ex-combatants, with programmes planned to reach 500 more ex-combatants in 2013.

The 10-year National Plan for a Trilingual Sri Lanka was launched in 2012 under the implementation of the Trilingual Policy. The Government is in the process of recruiting/ training the civil service as well as the police to work in the Tamil language under this programme.

The Northern Province has recorded a Provincial GDP (PGDP) growth rate of 25.9% for 2012 (the highest growth in any province) contributing 4.0% to the national economy up from 3.7% in 2011 while the Eastern province registered the second highest growth of 25% in the PGDP with an increase in its GDP share to 6.3% in 2012 from 5.8% in 2011.

As per the recommendations of the LLRC, the government has initiated a programme to pay compensation to residents of the Northern Province affected by the conflict. An amount of Rs. 85 million has been allocated for this purpose utilizing funds allocated for 2013.

The Commissioner General of Land has initiated a new programme to resolve land issues of people resettling in the Northern and Eastern provinces in the two-year period 2013 - 2014. A new Land Circular has been issued on 31 January 2013 to facilitate the work of those people wishing to lodge complaints regarding their land.

Under this scheme 85,166 applications have been received so far, and a database is under formulation. The draft mandate for the appointment of a Presidential Land Commission to address issues relating to lands in the country, especially in the North and East, has been submitted to the Presidential Secretariat by the Ministry of Lands & Land Development recently.

In view of the fact that funds secured by NGOs were being channelled for money laundering and financing of terrorist activity, it became necessary to locate the registration of NGOs under the Ministry of Defence to ensure proper supervision and monitoring of their activities. This process has not posed any impediments to any individual or organisation that seeks registration, and no unfair or arbitrary restrictions have been imposed on any NGO in the conduct of their activities. Since 2010, 95 NGOs have been registered under the Ministry of Defence, and the total number of NGOs registered in Sri Lanka stands at 1419.

GOSL rejects the assertion of excessive use of force by the security forces against peaceful protestors. As was evidenced in the recent incident in Weliveriya, it has been established that the protest was not peaceful as claimed. At present a Magisterial inquiry is ongoing and an internal inquiry by the Sri Lanka Army has been held and 4 persons from the Army have been suspended from duty pending possible disciplinary action. With regard to the incident in Chilaw in February 2012, the IGP immediately ordered the CID to take over the investigation. Statements of more than sixty witnesses had been recorded and medico-legal reports relating to three injured and the post-mortem reports on the deceased have been obtained. During the investigation it was revealed that the conduct of the uncontrollable crowd of about 5000 persons posed a serious threat to peace. Evidence of nearly 20 witnesses had been already led at the inquest proceedings and the verdict is due on the 7 October 2013. As regard the incident in Katunayaka in May 2011, the Criminal Investigation Department of Sri Lanka after investigation forwarded the dossier to the Attorney General's Department, who having considered all material submitted

by the CID had advised to initiate non-summary proceedings against two suspect police officers on charges of murder.

GoSL has at no time 'downplayed' allegations of attacks against religious minorities, and strongly rejects accusations of "state patronage or protection given to extremist groups". Such generalizations lack credibility. It is for this reason that the GoSL has requested specific information on such allegations. We note that the information on such incidents contained in the Update is yet to be transmitted to GoSL by the OHCHR. All people living in Sri Lanka enjoy freedom of religion, which is a constitutionally guaranteed right. While existing provisions in the Penal Code (sections 120, 291A and 291B) and the ICCPR Act (section 3) criminalise 'hate speech', steps are underway to further strengthen the law against hate speech through a new amendment. Under the proposed amendment, any person who by words either spoken or intended to be read or by signs or by visible representations or otherwise causes or intends to cause commission of acts of violence or religious, racial or communal disharmony or feelings of ill-will or hostility between different communities or racial or religious groups will be guilty of an offence. Any person guilty of an offence specified above shall on conviction be liable to imprisonment of either description for a period not less than five years but not exceeding twenty years. We would welcome any technical assistance on the scope of such legislation.

The issue of intimidation and harassment of human rights defenders was comprehensively addressed in our statement under Agenda Item 2 - General Debate on the first day of the Council. The GoSL is fully committed to the protection of human rights defenders and have requested the OHCHR to provide us with specific information with regard to the allegations. We are still awaiting the receipt of such information so that we could verify the credibility of such allegations. The wide range of interactions that the High Commissioner had with civil society during her visit, as well as the active engagement of civil society from Sri Lanka in successive Council sessions is testimony to the vibrant nature of Sri Lanka's civil society and the freedoms they enjoy.

Sri Lanka has been consistent in its stance that it does not condone any attacks on freedom of speech. Investigative authorities have always taken all measures to conduct effective investigations relating to any complaints regarding harassment and or assassination of journalists, Whenever, credible evidence is available, steps have been taken to prosecute the offenders. It is also open for affected journalists to obtain redress from judicial authorities by way of applications for writs of Habeas Corpus and in applications alleging violations of fundamental rights.

While the Update refers to the abolition of the Constitutional Council via the 18th Amendment, one has to bear in mind that given the inherent weaknesses in the 17th Amendment that impinged on the operationalization of bodies such as the Election Commission, the legislature enacted the 18th amendment to address the infirmities that had rendered the Constitutional Council non-operable. The fact that several Commissions and high offices have been operationalized since the 18th amendment and their robust functioning today, demonstrate its efficacy.

All constitutional stipulations inclusive of due process rights were followed in relation to the impeachment proceedings of the former Chief Justice. Sri Lanka reiterates that similar provisions exist in other countries in relation to the removal of higher judiciary, and the impeachment process was in keeping with the constitutional imperatives.

In the above context, we strongly reject the unsubstantiated claims in the Update that the rule of law and democratic institutions are being undermined and eroded.

Cooperation with the Council

Over the years, Sri Lanka has demonstrated its commitment to be constructive and proactive engagement with the mechanisms of the Council including special procedures, treaty bodies and the UPR.

With regard to special procedures, GOSL has continued to constructively engage with special procedures mandate holders, and has consistently and comprehensively responded to their queries and communications. As part of its constructive engagement with special procedures mandate holders, and in accordance with the reiterated GOSL position that the visits of special procedures mandate holders will be scheduled following the visit of the High Commissioner, the Government has already scheduled a visit by the Special Rapporteur on IDPs in December this year, and extended an invitation to the Special Rapporteur on Education to visit in January 2014. The GOSL will continue to schedule visits of special procedures mandate holders in the future following a consultative process. Similarly, Sri Lanka has conducted regular meetings with the Working Group on Enforced or Involuntary Disappearances including senior representation from the Attorney General's Department, and in 2013 alone transmitted responses on 204 cases to the Working Group.

In line with its treaty body commitments, Sri Lanka is working towards submitting its periodic reports to the respective treaty bodies. Sri Lanka submitted its 5th report under the International Covenant on Civil and Political Rights (ICCPR) in October 2012 and earlier this month, its response to the Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW). Currently, the Government is in the process of finalizing its 5th report under the International Covenant on Economic, Social and Cultural Rights (ICESCR) and will be submitting it shortly.

With regard to the UPR, it may be recalled that Sri Lanka during its UPR second cycle in November last year briefed the Council in detail on progress on the different aspects of the reconciliation process. At the UPR, as previously committed to by the Government, Sri Lanka accepted to implement recommendations of the LLRC in line with the National Plan of Action (NPoA), and to also make available the financial and other resources for such implementation. The Government has since honoured

these commitments made at the UPR, and has made the requisite financial provision through budgetary allocation for 2013 for the implementation of the National Plan of Action of the LLRC. Additionally, Sri Lanka made 19 voluntary commitments in relation to the UPR.

Technical Cooperation

GOSL welcomes consideration of technical cooperation in its process of reconciliation.

The new UN Development Assistance Framework (UNDAF) 2013 - 2017 signed between the Government and the UN provides a strategic direction to implement UN supported projects and programmes in line with the development policy framework of the Government, including in the case of human rights. We also support capacity enhancement of the National Human Rights Commission of Sri Lanka, and in this context, appreciate the ongoing support for capacity enhancement of the NHRC provided by the Commonwealth Secretariat and the UN.

Sri Lanka also views its ongoing engagement with special procedures mandate holders in the context of possible technical cooperation including capacity enhancement, provision of expert advice and the sharing of best practices. To this end, my delegation continues, among others, to maintain a constructive dialogue with the Special Rapporteur on Truth, Justice, Reparation and Guarantees of Non-recurrence with a view to learning from the comparative experiences of other post-conflict states that have engaged in reconciliation.

Sri Lanka notes that the recently concluded UPR is an appropriate channel to explore avenues for technical cooperation. We believe that the accepted UPR recommendations, pledges and commitments could serve as a platform to develop and strengthen technical cooperation in order to support the implementation of human rights obligations. In this regard, we welcome the consideration of technical

cooperation in areas deemed necessary in implementing the accepted recommendations of our UPR. We welcome technical cooperation in implementing the voluntary commitment to enhance national capacities in relation to the promotion and protection of human rights made during our UPR.

Sri Lanka however notes that technical cooperation provided in full cooperation and consultation with the Government of Sri Lanka must complement the ongoing reconciliation process in a concrete and holistic manner, which as detailed above has already made significant progress. We also note that the unwarranted call for a truth seeking mechanism would only be tantamount to duplication and multiplication of existing institutions and initiatives.

We highlight in this regard, the mandate of the Human Rights Council to promote advisory services, technical assistance and capacity building, in consultation with and with the consent of the state concerned, and in accordance with the provisions of Council resolutions 5/1 and 5/2 as well as 16/21.

Conclusion

In conclusion Mr. President, the GOSL strongly refutes the HC's view that "the human rights situation in Sri Lanka remains critically important". As pointed out many times in this Council by my delegation, the disproportionate attention paid to Sri Lanka, largely at the behest of parties with vested interests, considerably complicates the on-going delicate process of reconciliation. Sri Lanka is not a situation that requires the urgent and immediate attention of the Council. Sri Lanka needs to be encouraged, not impeded.

I thank you.