

**Statement by
Hon. Tilak Marapana, PC., MP
Minister of Foreign Affairs of Sri Lanka**

**Agenda item 2
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Mr. President,
Madam Deputy High Commissioner,
Distinguished Delegates,

It is an honour for me to be here today at the 37th Session of the UN Human Rights Council representing the Government of Sri Lanka.

I am joined today by my Cabinet colleagues, the Minister of Special Assignments, Hon. (Dr) Sarath Amunugama, and the Minister of Provincial Councils and Local Government, Hon. Faiszer Musthapha. My colleagues and I represent the two main political parties that form the coalition government. We are here before this Council together in unison, to speak with one voice, demonstrating the Government's firm commitment to the advancement of reconciliation, the rule of law, good governance, human rights, justice, equality, and dignity for all our citizens, based on the 100 Day Programme on which President Maithripala Sirisena was elected in January 2015.

Mr. President,
We would like to express our sincere appreciation to the High Commissioner, the Deputy High Commissioner and the staff of the OHCHR for their consistent and constructive engagement with Sri Lanka, the invaluable technical support extended to us, and for their support and encouragement at all times.

Mr. President,
We do not consider the reconciliation process in our country as a box-ticking exercise. We are deeply committed to uphold the rule of law and to ensure the equal protection of the law to all individuals without discrimination as guaranteed under the Constitution of Sri Lanka. We also recognize that we owe our citizens equitable socio-economic development, which can only become possible through the establishment of durable peace and reconciliation. We are making every effort, therefore, Mr. President, despite the socio-political and economic constraints and challenges that we face, to realize our vision of a reconciled, peaceful, stable and prosperous Sri Lanka for all our citizens. In this context, and in response to the High Commissioner's observations on progress made by Sri Lanka thus far, we wish to place on record our most important achievements since Sri Lanka last addressed this Council at the 34th Session on 28th February 2017. Much progress has been made throughout the course of last year as well as previously, demonstrating Sri Lanka's firm commitment, willingness and ability to advancing truth, justice, reparations and guarantees of non-recurrence of conflict.

We are mindful, Mr. President, that the reconciliation, judicial and reparation processes are for all affected communities irrespective of race, religion, and gender, including the families of missing security forces personnel.

On Sri Lanka's Independence Day in February 2015, just a few weeks after President Maithripala Sirisena was elected, the Government made a formal Declaration of Peace, which said "*Terrorism and violence have ended. The time and space required for healing and building sustainable peace and security for all is upon us. It is now for us to seize this opportunity to ensure that the fruits of democracy and citizenship can be equitably enjoyed by all.*" Mr.

President, this continues to be our vision – of all our citizens united, irrespective of ethnicity and religion, working together, overcoming the legacy of tragic conflict and guiding our nation towards durable peace and prosperity.

Mr. President,

As you are aware, the action by the Sri Lankan security forces during the conflict was against a group designated as a terrorist group by many countries, and not against any community in our country. The operations of the terrorist group, which for the first time in recent history have deliberately targeted innocent civilians have now been adopted by terrorist groups all over the world. All communities in Sri Lanka were united against terrorism in my country, and now that terrorism has been defeated, all communities today work in unison towards reconciliation and economic progress of the country.

Mr. President,

A comprehensive list that demonstrates the progress Sri Lanka has made in the advancement and protection of human rights, reconciliation, and good governance since January 2015 to-date has been distributed to all members of the Council. I will therefore set out some of the most important steps we have taken.

- In September 2017, the President formally operationalized the Permanent **Office on Missing Persons**, pursuant to the enactment of the Office on Missing Persons Act in August 2016, as amended in July 2017. On the recommendations made by the Constitutional Council, the President appointed the Chairperson and members of the Office on 28 February 2018. At a meeting with the Chairperson and members on 28 February, the President assured them of the fullest support of the Government to ensure the effective functioning of the Office. Sri Lanka Rupees 1.4 billion (approximately 9 million USD) has been allocated in the National Budget for 2018, for this Office. The members selected, in accordance with the provisions of the Act, represent the pluralistic society of Sri Lanka. The appointed members are currently receiving training and studying practices of similar mechanisms elsewhere which will help them to discharge their mandate effectively.
- Over 70% of **private land** which had been with the security forces during the conflict period has now been released to be given to their original and rightful owners. A Committee chaired by the Secretary to the President was set up in January 2018, which will continue to meet frequently with all relevant local stakeholders to oversee and monitor the process of land release, the payment of compensation, and address connected issues.
- The public is already benefitting from the **Right to Information Act** which was operationalised in February 2017. The Right to Information Commission is currently functioning effectively, and has disposed of a large volume of appeals.
- Demonstrating its firm commitment to a zero-tolerance policy on **torture**, Sri Lanka acceded to the Optional Protocol to the Convention against Torture in December 2017, and the Human Rights Commission of Sri Lanka is designated as the National Preventive Mechanism.
- The Cabinet of Ministers, on 6 March 2018, approved the formulation of legislation by the Legal Draftsman, for the establishment of an **Office for Reparations**. Once the draft legislation with translations into local languages is finalised, the draft Bill will be presented to parliament.
- Legislation to give effect to the **International Convention for the Protection of All Persons from Enforced Disappearance** was passed by the Parliament on 7 March.
- Continuing its active engagement with the **Special Procedures**, in July 2017, Sri Lanka received the Special Rapporteur on 'Countering Terrorism while Promoting and Protecting

Human Rights'. In October 2017, the Special Rapporteur on the Promotion of Truth, Justice, Reparation, and Guarantees of Non-recurrence visited Sri Lanka, and in October 2017, the Working Group on Arbitrary Detention visited the country.

- Demonstrating our firm commitment to reconciliation and ensuring non-recurrence, Sri Lanka acceded to the **Ottawa and Oslo Conventions** (Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on their Destruction and the Convention on Cluster Munitions) on 13 December 2017 and 1 March 2018 respectively, and also **received the Special Envoy** on the Ottawa Convention earlier this month.
- Sri Lanka participated in reviews of its **periodic reports** by the Committee for the Elimination of Discrimination against Women (CEDAW) in February 2017, the Committee on Economic, Social and Cultural Rights (CESCR) in June 2017, and the Committee on the Rights of the Child (CRC) in January 2018.
- The **Prevention of Terrorism Act** is proposed to be repealed and replaced with a counter-terrorism law that conforms to human rights safeguards and other international standards. In terms of our Constitution and legal processes, this legislation will be finalized after due parliamentary procedures are followed.
- Amendments were brought to the Local Authorities Election Act and the Provincial Councils Election Act, ensuring a quota to elect **female representatives to the Local Government and Provincial Councils**, which are important grass-root-level decision-making bodies. At the recently concluded Local Government Elections held on 10 February 2018, the legislation ensuring 25% quota for women was implemented ensuring the election of a record number of women to local government bodies for the first time.
- For the effective implementation of the **National Human Rights Action Plan 2017-2021**, a three-tier mechanism was established in December 2017, to regularly monitor progress being made by all the relevant line ministries and agencies, and to give necessary guidance and direction.
- Sri Lanka participated in the **3rd cycle of the Universal Periodic Review** in November 2017, and its report was adopted on 19 March.
- The draft legislation on a **Truth and Reconciliation Commission**, taking into account relevant recommendations made by the Consultation Task Force, is now in an advanced stage of consultations and will be submitted, at the earliest, for approval by the Cabinet of Ministers.

As we proceed on this important yet challenging journey, we are conscious of the need for the participation of all sections of our society to ensure that these important transformative steps through legislation and administrative means are well entrenched and duly institutionalised. Our firm commitment is reiterated to all stakeholders to reach consensus on a sustainable basis.

Through our firm resolve to ensure non-recurrence of conflict, we are committed to fulfilling the agenda on reconciliation. This agenda is unprecedented. We have undertaken to implement a vast agenda in a very short time. Such measures have taken most other countries, several decades to implement. Despite challenges, our commitment remains firm because we fully recognize that it is the duty of the State to all victims on all sides, to all communities and most of all to future generations to ensure that we lay the foundation for a stable, peaceful, reconciled and prosperous society. We recognise that we must not leave the burden of having to deal with the difficult legacy of our past, to our future generations.

Mr. President,

As a nation we are pained by the recent incidents in a few areas of Sri Lanka targeting members of the Muslim community who represent an integral part of the pluralistic society of Sri Lanka. Such acts which go against our shared vision of a Sri Lanka where equal rights and rule of law are guaranteed for all, have no place in a democratic, pluralistic society. The Government has taken swift action against perpetrators of these incidents and is investigating any lapses that may have taken place. Stringent measures will be initiated to ensure non-recurrence. A victim compensation programme has already commenced. We have reason to believe that certain interested parties were behind this, to tarnish our image at a time when this Council is in session.

Following investigations, as it was discovered that social media and messaging platforms were being used not only to incite and spread hate and false messages but also to organise attacks, the Government was compelled to impose temporary restrictions on the use of social media. All these restrictions have now been lifted. The Government as a result of this experience has entered into active engagement with social media operators, to work with them on the prevention of hate speech. The emergency regulations which the Government was compelled to impose on 06 March 2018 as a measure to protect communities, were rescinded on 17 March 2018.

Mr. President,

The reconciliation and development agenda cannot be successfully achieved by Government working alone. The participation of political parties, civil society, academia, the business community, the media as well as the international community are essential for this important national endeavour.

Mr. President,

We would like to stress with sincerity and conviction that we will not be deterred by anyone in fulfilling the undertakings given by us to our people, which will lead to building a peaceful, stable, reconciled and prosperous Sri Lanka for all our citizens.

Sri Lanka's judiciary and law enforcement mechanisms are fully capable and committed to the processes of advancing justice to all concerned. It has a long history of integrity and professionalism and since January 2015, steps have been taken to further strengthen its independence. And may I add, Mr. President, that all reconciliation mechanisms will be implemented in accordance with our Constitution.

Mr. President,

The legacy of conflict in Sri Lanka is heavy, and it permeates our society to this day. Extremists constantly strive to take advantage of this situation to achieve political gain. This realization only makes us even more determined to ensure that we never return to the violent days of the past. It is our intention to ensure the fulfilment of our commitments to all our people and bring closure to a sad and disturbing period of our recent history.

Thank you.