
STATEMENT BY PROFESSOR G.L. PEIRIS, MINISTER OF EXTERNAL AFFAIRS

Thursday, 22 March 2012

Last Updated Thursday, 22 March 2012

It is a matter of great satisfaction to us that 15 countries voted with Sri Lanka, despite the intensity of pressure, in a variety of forms, exerted on them all. We convey to them our warm thanks and deep appreciation. We also thank sincerely the 8 countries which, by abstaining, declined to support the Resolution. With 15 countries voting with Sri Lanka, and 8 countries abstaining, the final result was that 23 countries, out of a total of 47 members of the Human Rights Council, did not support the Resolution, while 24 supported it. The margin was as narrow as this.

The most distressing feature of this experience is the obvious reality that voting at the Human Rights Council is now determined not by the merits of a particular issue but by strategic alliances and domestic political issues in other countries which have nothing to do with the subject matter of a Resolution or the best interests of the country to which the Resolution relates. This is a cynical negation of the purposes for which the Human Rights Council was established. Many countries which voted with Sri Lanka were acutely conscious of the danger of setting a precedent which enables ad hoc intervention by powerful countries in the internal affairs of other nations. This is a highly selective and arbitrary process not governed by objective norms or criteria of any kind. The implications of this were not lost on many countries. As far as Sri Lanka is concerned, our policy in respect of all matters will continue to be guided by the vital interests and wellbeing of the people of our country. It hardly requires emphasis that this cannot yield place to any other consideration.

Permanent Mission of Sri Lanka to the United Nations

Geneva 22 March 2012

Amb Kunanayakam warns that the Council is being taken hostage to the hidden agendas of the mighty

Friday, 23 March 2012

Last Updated Sunday, 25 March 2012

At the end of the 19th Session of the Human Rights Council, Ambassador Tamara Kunanayakam, taking the floor under the concluding general segment, affirmed that the US resolution against Sri Lanka constituted a negative precedent that challenged the core values of the Human Rights Council, and reflected a blatant case of politicization that "takes the Council hostage to the hidden agendas of the mighty". Ambassador Kunanayakam exposed the fact that no one within the Council was ignorant of the pressures exercised and the methods used to obtain support for a resolution whose list of co-sponsors, she said, constitutes a caricature of a divided world. She rejected all forms of unilateralism, threats, sanctions, blockades, conditionalities, and the orchestrated disinformation campaigns which, she said, aimed to diabolise Sri Lanka, and further pointed out that such measures would only bring dishonour to the resolution's authors. Observer States such as Venezuela, Zimbabwe and Pakistan also taking the floor under the same segment, expressed similar sentiments and reiterated support for Sri Lanka.

Link to webcast – <http://www.unmultimedia.org/tv/webcast/2012/03/comments-by-observer-states-on-draft-resolutions-55th-meeting.html>

(Sri Lanka statement can be browsed at the following timing- 01:28:49) Full Text of Statement:

General Comments by Sri Lanka 23 March 2012
Madam President, Before proceeding, Sri Lanka seeks clarification on allegations made by certain countries of threats to, and intimidation of, human rights defenders by members of its delegation. We treat such allegations with utmost seriousness and do not condone such violations. In this regard, we have asked for details from some of those making the claims, but, so far, we have not been able to ascertain the veracity of the incidents. We urge everyone to be responsible in making allegations that cannot be substantiated.
Madam President, Sri Lanka is proud to have led a battle of convictions by appealing to the conscience of each and every one – for the respect of the principles and values that should unite the international community. The US resolution against Sri Lanka constitutes a negative precedent that challenges the core values of the Human Rights Council, and reflects a blatant case of politicization that takes the Council hostage to the hidden agendas of the mighty. Humanity has entered a new period in which the very survival of the values we cherish and uphold is at stake. To rise to these challenges is our responsibility, a necessity, and no longer an option! No one here is ignorant of the pressures exercised and the methods used to obtain support for a resolution whose list of co-sponsors constitutes a caricature of a divided world. We reject all forms of unilateralism, threats, sanctions, blockades, conditionalities, and the orchestrated disinformation campaign whose aim is to diabolise Sri Lanka, but which only brings dishonour to its authors. When international solidarity, mutual respect and cooperation between the rich and the poor, the developed and the developing, the haves and the have-nots, must be the rule, we are witnessing an exacerbation of rivalries, of ambitions and schemes, of confrontation and unilateralism. When it has become imperative to appeal to the conscience of each, to impartiality and non-selectivity, we see a rise in arrogance, hypocrisy, double-standards, and the exclusion of those who dare to be different. Today, one country deems itself the depositary of a mission to dictate to the rest of world its vision of Democracy, of Human Rights, of Development. Is any of us safe from becoming the next target, the object of pressure, even of military aggression, to the detriment of our peoples and their right to life? It is our duty to unite in the common struggle to defend our sovereignty, our independence, our territorial integrity, and the free choice of our peoples to shape their own societies and their destiny. Sri Lanka will continue its policy of peace and reconciliation, which is an inclusive process that enjoys not only the support of its own people, but broad international support. We will also continue to defend the independence and the prerogatives of the Human Rights Council, against any effort to undermine its multilateral principles. We must heal not hurt; unite not divide! The victory of one nation over domination is our collective victory, its defeat is our collective defeat! Sri Lanka pays homage to all those who, in various ways, expressed their support for our common cause! That, Madam President, is the price of liberty for our countries and our peoples!

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STATEMENT

by

Hon. Mahinda Samarasinghe M.P.

**Minister of Plantation Industries and
Special Envoy of H.E. the President of Sri Lanka
on Human Rights, and
Head of Sri Lanka delegation**

On the Resolution on Sri Lanka

**at the 19th Session
of the United Nations Human Rights Council**

22 March 2012, Geneva

Madam President,

Thank you for this opportunity, as the country concerned, to outline our position in respect of the draft resolution before the Council.

Many in this Council would agree that Sri Lanka has been a role model of, consistently and unambiguously, engaging with everyone in the Council; not just on this occasion but over the years. This engagement has been voluntary and was not restricted to a period in the aftermath of the conflict, but occurred even during the height of the long-drawn-out armed conflict, against one of the worst manifestations of terrorism.

This transparent policy of sharing information has been out of a sense of responsibility as a member of the international community and in the face of a systematic and organized campaign aimed at distorting and misinforming this Council and the outside world of the situation in Sri Lanka. May I assure you, Madam President, that we will continue to actively engage.

Despite this exemplary interaction, Sri Lanka has been selectively targeted by certain countries at the behest of some who, we believe, still bear resentment at the clear and decisive decision taken at the Special Session in 2009. This attempt to undermine the Resolution of 2009 is unacceptable especially because of the continuing improvement in Sri Lanka during the intervening period. A resolution that dwells on the past will impose on this Council the character of an adjudicatory body, with no limitation as to its competence to reopen and revisit matters of the past, which could have consequences affecting many others. Those who live in glass houses, Madam President, are best advised to exercise caution before throwing stones.

Madam President,

We are a nation proud of our history, heritage and values as much as any other nation state. We take our responsibilities as a member of the international community very seriously and

needless to say, are more concerned about ensuring sustainable peace and reconciliation and further promoting the unity of our nation that is multi-cultural, multi-lingual, multi-religious and multi-ethnic in its composition.

After 30 long years of instability and violence, we have achieved stability and peace. We need to be given time to further consolidate the clear progress that has been achieved in a short period of three years.

Madam President,

It is against this backdrop that my country is compelled to face a misconceived, unwarranted and ill-timed draft resolution, which embodies several harmful elements that clearly violate important principles that will have adverse ramifications, not only for my country, but many other countries.

This is why, Madam President, we took a decision, on a matter of principle, that we will not accept such a Resolution, in an endeavor to also ensure that a bad precedent is not established by this Council.

The way in which we will deal with this matter today will decide whether or not purely parochial, if not political, agendas far removed from the promotion and protection of human rights, will be permitted to prevail.

Madam President,

When we look at this draft resolution, it is clear that the founding principles of the Human Rights Council which are anchored in universality, impartiality, cooperation, non-selectivity and objectivity, are being assailed. If we are true to our consciences, it is not difficult to concede that the situation in Sri Lanka does not warrant the attention and criticism in this Resolution. We are clearly justified in asserting that we require time to realize comprehensive reconciliation.

Madam President,

This Resolution also runs counter to the principle of international law that domestic remedies must be exhausted and should be the first resort, prior to superimposing external mechanisms. In respect of Sri Lanka's situation, it is barely 3 months since the presentation of the domestic mechanism's report. Is it fair for this Council to pre-judge our commitment to all aspects of the domestic process at this juncture? Shouldn't we be given the time and space to continue this process of implementation and of reconciliation without undue interference?

If this proposed intrusion is accepted by this Council, no domestic process would be free to deliver on its mandate unimpeded. Instead, a superimposition of an external mechanism would become the order of the day. I ask the question: Madam President, would all delegations in this Council subscribe to such abdication of sovereign responsibility and permit a usurpation of an independent nation's prerogative to act in its people's paramount interests?

Madam President,

We are aware that many delegations in this Council have consistently taken a principled stand on the appropriateness of country-specific resolutions in keeping with the spirit of the UN Charter. It is clear that the Resolution before us is inconsistent with this principled position. We call upon all countries who value this principle to vote against this draft Resolution.

In conclusion, Madam President, we ask Members of this Council to take an objective view of the Sri Lankan situation in its entirety and grant our people the necessary latitude to complete a process that has already begun. In keeping with past practice, we will voluntarily keep the Council informed of the progress made. The Universal Periodic Review is the established procedure for this, and it should not be subverted.

The draft Resolution, as presented, seeks to create doubt in a sovereign and independent country's intent, resolve and capacity to implement the recommendations of its domestic mechanism, without according to it a reasonable time for implementation. It also fails to

acknowledge the steps taken and the progress made in the implementation process. Accordingly, the intentions of the government in question are being prejudged, deliberated and concluded upon by the Council even before such government has had the opportunity to fulfill the recommendations of a domestic mechanism. Furthermore, this Resolution if adopted, would undermine the principle of non-interference in matters within the domestic jurisdiction of a country.

This resolution if adopted will not add value to the implementation process in Sri Lanka; on the contrary, it may well be counter-productive and, as such, those who have been using extreme pressure tactics in garnering support for this ill-timed and unwarranted initiative should be mindful of the responsibility that accompanies it.

Let me assure you Madam President that the Government of Sri Lanka will spare no effort to safeguard the sovereignty and independence of the motherland. As we defeated terrorism through resolute and united action, we will dedicate our efforts to guaranteeing equality, dignity, justice and respect of each and every Sri Lankan, who have reposed their trust in our vision for the future. May I add, Madam President, that no one has to remind us of this responsibility.

Finally, Madam President, the resolution before this Council for consideration is not acceptable to Sri Lanka as the country concerned.