

49th session of the Human Rights Council
High Level Segment Statement
by Hon. Prof. G.L. Peiris, Minister of Foreign Affairs of Sri Lanka

Mr. President,

Sri Lanka is an active participant in the multilateral framework to realize the promotion and protection of human rights.

Fundamental rights are embodied in our Constitution, progressively advanced through our democratically elected organs of government and enforced through our independent judiciary. Despite multiple challenges we have faced from terrorism, we have restored peace, security and the rule of law throughout the country. Our democratic traditions and independent institutions ensure free and fair elections at regular intervals through universal adult franchise. We will further advance the considerable progress we have made in post-conflict recovery and healing. For this, we have put in place domestic institutions for reconciliation, accountability and social justice.

Through this Council, we have completed 3 mutually beneficial Universal Periodic Reviews, engaged in constructive dialogue with the Treaty Bodies, welcomed Special Procedures Mandate Holders, and held frank and open discussions with domestic and international interlocutors. We have benefitted from the considerable expertise available with the UN on human rights including through its technical cooperation and capacity building programs. Through the UN country team, we value the ongoing support to our domestic processes on reconciliation and achievement of SDGs.

Through this cooperative interaction, and in line with our domestic framework and international obligations, we continue to ensure the promotion and protection of human rights and social justice for all our citizens, irrespective of ethnic and religious identity and political affiliation.

Mr. President,

Despite the economic setbacks due to the Covid 19 pandemic, we continue to ensure our people's right to development. Sri Lanka has improved its global rank by 7 positions according to the latest SDG Report. We appreciate the contribution made by our civil society partners, through their extensive grass-roots level outreach and expertise.

As a developing Member State of the international community, we brace ourselves to face the further adverse economic consequences of crises, such as the pandemic and the unravelling conflict in Europe, which will impact on our efforts to achieve the SDGs.

Mr. President,

We are today in a period of review of the work of the Council. We reflect on whether the Council has been successful in overcoming the credibility gap that led to the downfall of its predecessor Commission.

The multilateral architecture for the implementation of human rights was progressively developed in the last decades. Consensus was forged on key principles which we consider sacrosanct, such as that the promotion and

protection of human rights should be guided by the principles of impartiality, objectivity and non-selectivity, based on the sovereign equality of Member States. UNGA resolution 60/251 and HRC resolutions 5/1 and 5/2 also decided that the working methods of the Council shall be transparent, fair and impartial, and shall enable genuine dialogue.

In March 2021, the Council voted on Resolution 46/1 which was tabled without the consent of Sri Lanka as the country concerned. The consideration of this matter polarized and politicized this forum. In a startling departure from the mandate which the UN General Assembly originally conferred on this Council, operative paragraph 6 of this resolution refers to a so-called evidence-gathering mechanism, a measure that was strongly opposed by a number of countries. Such initiatives create disharmony both in the domestic and international arenas. It creates obstacles to reconciliation efforts, breeds hatred by reopening past wounds, and polarizes society.

Mr. President,

Member States have mandated this Council and its Secretariat with a truly extensive array of helpful working methods to assist Governments in the promotion and protection of human rights. Sri Lanka has participated actively and constructively in those aspects of the Council's work that have been productive and beneficial, and which have helped to ensure that our people live safer, longer, and more dignified lives. We reject those that are punitive, politicized, divisive, unhelpful and initiated due to extraneous reasons.

Mr. President,

As elsewhere in the world, we endeavor to strike a just balance between human rights and national security when dealing with terrorism. Sri Lanka is convinced that counter-terrorism legislation must secure and protect the rights of persons subject to investigation detention and trial, and must not restrict democratic freedoms such as the freedom of expression. With these objectives in view, I recently presented a Bill in the Parliament of Sri Lanka which is an initial step in amending the Prevention of Terrorism Act, 43 years after it was promulgated.

We take particular objection to the use of voluntary funding which has the necessary consequence of undermining objectivity and detachment. Against this background, Sri Lanka once again reiterates its view that the evidence gathering mechanism established under OP 6 of resolution 46/1 is unhelpful to the people of Sri Lanka, will polarize Sri Lankan society, and adversely affect economic development, peace and harmony at a challenging time. It is an unproductive drain on Member State resources, at a time of severe financial shortfalls across the entire multilateral system including the High Commissioner's Office.

Mr. President,

On the 4th of March the Council will meet in an interactive dialogue on Sri Lanka. I look forward to sharing with you some thoughts on the written update on Sri Lanka.

Thank you.