



Statement by Sri Lanka

Fifth Committee, 24th Formal Meeting

“Revised Estimates: Report of the Human Rights Council”

18 December 2014

Sri Lanka would like to thank Mr. Jan Huisman, Director of Programme Planning and Budget Division, for introducing the report and Mr. Carlos Ruiz Massieu, Chair of the Advisory Committee on Administrative and Budgetary Questions, for his introduction of the relevant reports of the Advisory Committee.

Mr. Chairman,

The report on revised estimates of the Human Rights Council seeks, among others, to appropriate funds for the OHCHR Investigation on Sri Lanka established pursuant to the HRC resolution 25/1.

The Government of Sri Lanka does not wish to legitimize this flawed process which sets a negative precedent.

Sri Lanka's principled opposition to resolution 25/1, as well as to the "OHCHR Investigation", stems from several well founded concerns;

The resolution 25/1 and its mandate for an 'OHCHR investigation' challenged the sovereignty and independence of a member state of the United Nations. This is particularly so as Sri Lanka is continuing its own internal processes to address the very same issues raised in the resolution. The emphasis on Sri Lanka is misplaced and is politically motivated. The OHCHR was established to assist countries to improve their human rights standards and not as a platform for political witch hunting.

The 'OHCHR investigation' also violated a fundamental principle of international law, which requires that national remedies be exhausted before resorting to international mechanisms. This has been callously disregarded by the Human Rights Council even in the High Commissioner's Oral Report which was presented in Geneva last September. The

Government of Sri Lanka is continuing its own domestic process of accountability, justice, reconciliation and nation building with utmost dedication, guided by the recommendations by the Lessons Learnt and Reconciliation Commission. Many a commentator has observed that Sri Lanka has achieved much more in this regard than other countries emerging from similar circumstances. Clearly Res. 25/1 focuses on alleged events long past setting a precedent that would poses difficult issues for many members of the international community.

During the HRC 26 in June 2014, the Government of Sri Lanka stated clearly that it will not cooperate with this investigation.

We also wish to highlight our concern about the arbitrary manner in which this investigation has been carried out by the body established. Arbitrarily extending the dates for submission of evidence is one such example. Spending budgeted funds for other purposes is another. The extensive travel undertaken by this entity raises further concerns, particularly since only the well-known critics of Sri Lanka were visited by this entity. The funds authorized for the travel has been used for other purposes. Were these expenditures within the authorization provided?

Mr. Chairman,

We looked into the report by the Human Rights Council on the expenditure of the OISL. We have a few questions to raise and to seek clarification from the Human Right Council, in this regard.

One such question is as to how the Investigation team of the OHCHR spent almost all of its allocation, without visiting Sri Lanka. We understand that one third of the budget of this investigation was allotted on a visit that they envisaged to undertake to Sri Lanka. Since this visit has not taken place, we wonder how the OISL exhausted all the funds which were committed earlier. Therefore, we have a concern to know as to how the OISL has spent almost all their allocation without even attempting their envisaged work in Sri Lanka. These questions will be raised at the informal discussion which will follow.

We wish to place on record our concern that at a time the Human Rights Council has publicly complained of budgetary constraints, how it could spend the entire allocation on a Mission. The UNHCR is short of funds to carry out its regular mandate. But it is being asked to spend scarce funds on a mission which is politically motivated, duplicates ongoing internal processes, on alleged events that occurred over five and half years ago, and achieves the exact opposite of encouraging the advancement of global human rights by generating opposition rather than cooperation in member states. Sri Lanka would urge the fifth Committee to look into this issue and other similar examples when appraising the budgetary requests of the Human Rights Council.

I thank you Mr. Chairman.