

Sri Lanka. Draft Resolution L1/Rev1

Received by secretariat
from Sri LANKA
on 26/5/09
at 18.15

fls

Assistance to Sri Lanka in the promotion and protection of human rights

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant human rights instruments,

Reaffirming the purposes and principles of the United Nations as contained in articles 1 and 2 of the United Nations Charter, including the principle of non-interference in matters which are essentially within the domestic jurisdiction of States,

Bearing in mind the General Assembly resolution 60/251 of 15 March 2006,

Recalling the Human Rights Council resolutions 5/1 and 5/2 on institution-building of the United Nations Human Rights Council,

Recalling that States have the duty and responsibility to provide protection and humanitarian assistance to all segments of the population, including IDPs, without discrimination

Recalling its decision 2/112 and its resolutions 6/28, 7/7 and 10/15, and recalling General Assembly resolutions 57/219, 58/187, 59/191, 60/158, 61/171, 62/159 and 63/185, and welcoming the efforts of the member States of the United Nations for the protection of human rights and fundamental freedoms **and reaffirming the obligations of States to respect human rights law and international humanitarian law while countering terrorism,**

Reaffirming the respect for sovereignty, territorial integrity and independence of the Democratic Socialist Republic of Sri Lanka, **and its sovereign rights to protect its citizens and combat terrorism.**

Condemning all attacks that the LTTE launched on the civilian population and its practice of using civilians as human shields,

Reaffirming its commitment to promoting international cooperation, as set forth in the Charter of the United Nations, in particular Article 1, paragraph 3, as well as relevant provisions of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993 for enhancing genuine cooperation among Member States in the field of human rights,

Recognizing that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Welcoming the conclusion of hostilities and the liberation by the Government of Sri Lanka of tens of thousands of its citizens that were kept by the Liberation Tigers of

Tamil Ealam against their will as hostages, as well as the efforts by the Government to ensure safety and security for all Sri Lankans and bringing permanent peace to the country;

Welcoming further the recent reassurance given by the President of Sri Lanka that he does not regard a military solution as a final solution, as well as his commitment to a political solution with implementation of the 13th Amendment, to bring about lasting peace and reconciliation in Sri Lanka,

Emphasizing that after the conclusion of hostilities, the priority in terms of human rights remains the provision of the necessary assistance to ensure relief and rehabilitation of persons affected by the conflict, including internally displaced persons, as well as the reconstruction of the country's economy and infrastructure.

***Encouraged by* the provision of basic humanitarian assistance, in particular, safe drinking water, sanitation, food, and medical and health care services to the Internally Displaced Persons by the Government of Sri Lanka with the assistance of the United Nations agencies,**

***Further encouraged by* the recent announcement by the Government of Sri Lanka of the proposal to safely resettle the Internally Displaced Persons within six months,**

***Welcoming* the successful rehabilitation and reintegration of former child soldiers after the conflict ended in the Eastern Province of Sri Lanka,**

Acknowledging the continued engagement of the Government of Sri Lanka in regularly and transparently briefing and updating the Council on the human rights situation on the ground and the measures taken in that regard,

1. *Commends* the measures taken by the Government of Sri Lanka to address the urgent needs of the Internally Displaced Persons,

2. ***Welcomes* the continued commitment of Sri Lanka to the promotion and protection of all human rights and encourages it to continue to uphold its human rights obligations and the norms of international human rights law.**

3. ***Encourages* the Government of Sri Lanka to continue to pursue its existing cooperation with relevant United Nations Organizations, , in order to provide, to the full extent of their capabilities, in co-operation with the Government of Sri Lanka, basic humanitarian assistance, in particular, safe drinking water, sanitation, food, and medical and health care services to the Internally Displaced Persons,**

4. ***Welcomes* the announcement of the proposal to safely resettle the bulk of the Internally Displaced Persons within six months, and encourages the Government of Sri Lanka to proceed in these endeavours with due respect to persons**

belonging to national, ethnic, religious and linguistic minorities, [*Durban Review Conference*]

5. Acknowledges the commitment of the Government of Sri Lanka to provide access as may be appropriate to international humanitarian agencies in order to ensure humanitarian assistance to the population affected by the past conflict, in particular internally displaced persons, with a view to meeting their urgent needs and encourages the Sri Lankan authorities to further facilitate appropriate work.

6. Encourages the Government of Sri Lanka to continue to persevere in its efforts towards the disarmament, demobilization and rehabilitation of former child soldiers, recruited by the non-state armed actors in the conflict in Sri Lanka, physical and psychological recovery and reintegration into society, in particular, through educational measures, taking into account the rights and specific needs and capacities of girls, in cooperation with relevant U.N. Organizations.

7. Urges the Government of Sri Lanka to continue strengthening its activities to ensure that there is no discrimination against ethnic minorities in the enjoyment of the full range of human rights;

8. Welcomes the continued cooperation between the Government of Sri Lanka and the relevant United Nations Agencies and mechanisms, including thematic special procedures and other humanitarian organizations in the provision of humanitarian assistance to the affected people, and encourages them to continue to cooperate with the Government of Sri Lanka,

9. Welcomes the recent visits to Sri Lanka by Mr. John Holmes, United Nations Humanitarian Coordinator and Mr. Walter Kaelin, Representative of the United Nations Secretary-General on Human Rights of Internally Displaced Persons and encourages them to continue to cooperate in the mobilization and provision of humanitarian assistance to the affected populations;

10. Welcomes the visit of the Secretary-General of the United Nations at the invitation extended by the President of Sri Lanka to visit Sri Lanka; and reiterates the call of the Secretary General on the international community to fund the Common Humanitarian Action Plan jointly launched by the Sri Lankan Government and the United Nations and expressed its strongest commitment to the promotion and protection of human rights in keeping with international human rights standards and Sri Lanka's international obligations.

11. Welcomes the resolve of the Sri Lankan authorities to begin a broader dialogue with all parties in order to enhance the process of political settlement and to bring about lasting peace and development in Sri Lanka based on consensus among and respect for the rights of all the ethnic and religious groups inhabiting it and invites all stakeholders concerned to actively participate in it.

12. *Urges* the international community to cooperate with the Government of Sri Lanka in the reconstruction efforts, including by increasing the provision of financial assistance, including Official Development Assistance, to help the country fight poverty and underdevelopment and **continue** to ensure the promotion and protection of all human rights, including economic, social and cultural rights.