

# UPR MONITOR

International Service for Human Rights



Human Rights Monitor Series

## UNIVERSAL PERIODIC REVIEW, 2<sup>ND</sup> SESSION SRI LANKA (FINAL) REVIEWED ON 13 MAY 2008, AFTERNOON

Overview .....	1
General information on State under review .....	2
Information submitted to the Working Group .....	3
State report.....	3
Official UN documents .....	3
Other relevant stakeholders .....	4
Interactive dialogue .....	5
Presentation by the State.....	5
Table on the interactive dialogue.....	7
Adoption of the report [19 May 2008] .....	50

### Overview

The review of Sri Lanka began on 13 May 2008 with a lengthy introduction by the Minister of Disaster Management and Human Rights, the Hon Mahinda Samarasinghe, highlighting the strengths and challenges of human rights promotion in Sri Lanka, and including the identification of priorities and capacity building needs. The violent conflict faced by the country and the effects of the devastating 2004 tsunami were underscored. Issues addressed in the presentation included: the development of a National Action Plan on the Protection and Promotion of Human Rights, and establishment of a Constitutional Council; the potential for an OHCHR monitoring presence in the country; the strengthening of the National Human Rights Commission; cooperation with the UN Special Procedures; safety of humanitarian aid workers and human rights defenders; the political situation and recent democratic elections; independence of the media; the practice of recruitment of child soldiers; enforced disappearances and extrajudicial executions; and impunity. Much of the Sri Lanka's opening presentation was reserved for responses to written questions raised in advance by the Working Group.

During the interactive dialogue, many States commended the efforts made by Sri Lanka in the promotion of human rights, especially in the face of the prolonged violent conflict in the country. Issues relating to the conflict in the country (particularly the resulting violence, and terrorism related activities) and their implications for human rights predominated. States offered a wide range of comments, questions, and recommendations. These covered the following issues, among others:

- The strengthening of the National Human Rights Commission of Sri Lanka, and other national mechanisms;<sup>1</sup>
- Cooperation with international mechanisms, including the establishment of an OHCHR field office in Sri Lanka, the extension of a standing invitation to the UN Special Procedures, and concerns about the abrogation of a ceasefire agreement and subsequent termination of a monitoring presence;<sup>2</sup>
- The use of child soldiers;<sup>3</sup>
- Allegations of torture, forced disappearances and extra judicial killings, and the investigation and prosecution of such practices, as well as the practice of impunity;<sup>4</sup>
- Protection of civilians, human rights defenders, humanitarian aid workers, and journalists (including freedom of expression generally);<sup>5</sup>
- The status of the education and health systems;<sup>6</sup>
- The protection of the rights of internally displaced persons;<sup>7</sup>
- Violence against and the protection of all rights of women, and religious and ethnic minorities, particularly in conflict-affected areas;<sup>8</sup>
- The protection of victims and witnesses.<sup>9</sup>

Approximately forty minutes of the one hour allocated to the Sri Lankan delegation were taken up by the initial presentation. Of the long list of speakers, only 56 were allowed to make statements orally, while the rest (due to time restrictions) were asked to provide their statements in written form. Sri Lanka had a limited time to reply to the issues raised, and as a result it did so on a thematic basis.

## **General information on State under review**

### **Membership of the Human Rights Council**

Sri Lanka was an inaugural member of the Human Rights Council (1<sup>st</sup> term, 2006 – 2008). It sought re-election in 2008, but was unsuccessful.

### **Members of the troika**

Ukraine, Cameroon, Bangladesh.<sup>10</sup>

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<sup>1</sup> Ukraine, Canada, Cuba, Ireland, France, China, Mexico, Pakistan, Brazil, Romania, Germany, Czech Republic, Netherlands, Indonesia, Morocco, United Kingdom, Algeria.

<sup>2</sup> Ukraine, Canada, Cuba, Sweden, Belgium, Portugal, Ireland, France, Finland, Saudi Arabia, Mexico, Brazil, Latvia, Germany, Czech Republic, Netherlands, Turkey, Japan, Denmark, Indonesia, Republic of Korea, Algeria, Greece, USA, Uruguay.

<sup>3</sup> Canada, Belgium, Portugal, Luxembourg, Finland, Holy Sea, New Zealand, Romania, Malaysia, Republic of Korea, USA, Islamic Republic of Iran, Uruguay.

<sup>4</sup> Canada, Sweden, Belgium, Portugal, Luxembourg, France, Finland, Holy Sea, New Zealand, Romania, Czech Republic, Japan, Denmark, Guatemala, United Kingdom, Greece, Islamic Republic of Iran.

<sup>5</sup> Canada, Nepal, Ireland, Austria, Czech Republic, Poland, Denmark, USA.

<sup>6</sup> Bahrain, India, Tunisia, Venezuela.

<sup>7</sup> Belgium, Portugal, Finland, Austria, Egypt, Azerbaijan.

<sup>8</sup> Luxembourg, Saudi Arabia, Mexico, Columbia, New Zealand, Turkey, Denmark, Guatemala, Egypt, Republic of Korea, Algeria, Islamic Republic of Iran.

<sup>9</sup> Mexico, Austria, Japan.

<sup>10</sup> Sri Lanka requested that a member of its regional group be among its troika. Regional groups selected: African Group, Asian Group, Eastern European Group. Members selected: Ukraine, Cameroon, Bangladesh. There were no objections by Sri Lanka or by the members of the troika to the selection. For a full summary of the selection of troikas, see [http://www.ishr.ch/hrm/council/councilalert/council\\_update\\_7session.pdf](http://www.ishr.ch/hrm/council/councilalert/council_update_7session.pdf).

## **National consultation**

According to the State report, Sri Lanka's Ministry of Disaster Management and Human Rights was the lead agency tasked with the preparation of the State report. This agency 'organised meetings/discussions and maintained a continuous dialogue' with other government agencies, the police and armed forces, and various civil society actors, including individuals and non-governmental organisations.

## **Information submitted to the Working Group**

### **State report<sup>11</sup>**

Sri Lanka's State report included an overview of the methodology and consultative process adopted in preparing the report; background information on Sri Lanka, including a review of the two main contemporary challenges to the State (terrorism and the effects of the 2004 tsunami); a description of the national institutional framework for the promotion of human rights (including the Human Rights Commission of Sri Lanka, and the newly-formed Ministry of Disaster Management and Human Rights); an overview of the implementation of human rights in Sri Lanka pertaining to the seven core treaty bodies to which Sri Lanka is a party; and observations on Sri Lanka's role in the human rights machinery of the UN. Substantively, Sri Lanka's report indicated that the Government had made advances in the areas of education, health, poverty, housing, and discrimination based on language. Other issues raised in the State report include the use of child soldiers; concerns about torture and forced disappearances; the empowerment of women and violence against them (especially in conflict zones); and the country's status as a source of migrant workers. 'Achievements, best practices, challenges and key constraints' are also covered in the report. This section discusses Sri Lanka's role in the Human Rights Council, the creation of a Steering Group to draft a constitutional charter of rights, and the need to strengthen the Human Rights Commission of Sri Lanka. The report also identifies key priorities, such as a National Plan of Action on Human Rights, the status of internally displaced persons, victim and witness protection legislation, and reintegration of combatants (especially children) into society. The final section of the report requests support from international partners in key policy areas.

### **Official UN documents<sup>12</sup>**

The OHCHR compilation of official UN documents noted that Sri Lanka is party to several international treaties.<sup>13</sup> While taking note of proposed constitutional reform in the face of internal conflict and the effects of the 2004 tsunami, the active application and enforcement of treaties was questioned.<sup>14</sup> Similarly, the establishment of the National Human Rights Commission of Sri Lanka and various national action plans was welcomed,<sup>15</sup> but the independence of the Commission was called into question, and further policy measures were recommended, especially on torture, disappearances, impunity and discrimination.<sup>16</sup> Requests for the

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<sup>11</sup> National Report, available at <http://www.ohchr.org/EN/HRBodies/UPR/PAGES/LKSession2.aspx>.

<sup>12</sup> A/HRC/WG.6/2/LKA/2, available at <http://www.ohchr.org/EN/HRBodies/UPR/PAGES/LKSession2.aspx>.

<sup>13</sup> Core universal human rights treaties to which Sri Lanka is a party: International Covenant on the Elimination of All Forms of Racial Discrimination (CERD), International Covenant on Economic, Social, and Cultural Rights (ICESCR), International Covenant on Civil and Political Rights (ICCPR), Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Convention Against Torture (CAT), Convention on the Rights of the Child (CRC), International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW).

<sup>14</sup> HR Committee.

<sup>15</sup> CERD, CRC, HR Committee.

<sup>16</sup> CAT, CEDAW, CRC, HR Committee.

establishment of a field office of the OHCHR were made.<sup>17</sup> The section on the ‘implementation of human rights obligations on the ground’ listed specific concerns, including discrimination against women, children and persons of Indian origin;<sup>18</sup> occurrences of torture, extrajudicial, summary or arbitrary executions, and disappearances of civilians and combatants (both at the hands of the police and related to the conflict in the region);<sup>19</sup> violence against and exploitation of women and children;<sup>20</sup> the use of child soldiers;<sup>21</sup> the effectiveness of the legal system and human rights machinery;<sup>22</sup> freedom of religion;<sup>23</sup> media pluralism;<sup>24</sup> poverty;<sup>25</sup> equal access to education;<sup>26</sup> and the situation of migrants<sup>27</sup> and of internally displaced persons.<sup>28</sup>

### Other relevant stakeholders<sup>29</sup>

OHCHR summarised the information submitted by thirty-two civil society stakeholders.<sup>30</sup> A large number of these expressed concerns about violations resulting from the current internal conflict, including problems

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<sup>17</sup> HR Committee.

<sup>18</sup> HR Committee, ILO, Special Rapporteur on the violence against women, CESCR, CRC, CERD, CEDAW.

<sup>19</sup> Special Rapporteur on extrajudicial, summary, or arbitrary executions, Special Rapporteur on freedom of expression, Secretary-General on human rights defenders, CAT, Special Rapporteur on torture.

<sup>20</sup> HR Committee, CEDAW, CRC, Special Rapporteur on torture, UNHCR, CRC.

<sup>21</sup> CAT, UNICEF.

<sup>22</sup> HR Committee, Special Rapporteur on torture, Special Rapporteur on extrajudicial, summary, or arbitrary executions, Special Rapporteur on the sale of children, CAT, UNICEF.

<sup>23</sup> Special Rapporteur on freedom of religion or belief.

<sup>24</sup> HR Committee.

<sup>25</sup> CEDAW, UNICEF, HR Committee.

<sup>26</sup> CRC, UNESCO, UNICEF.

<sup>27</sup> CCA, CEDAW.

<sup>28</sup> UNHCR.

<sup>29</sup> A/HRC/WG.6/2/LKA/3, available at <http://www.ohchr.org/EN/HRBodies/UPR/PAGES/LKSession2.aspx>.

<sup>30</sup> (ACHR) Asian Centre for Human Rights, (AI) Amnesty International, (ALRC) Asian Legal Resource Centre, (BFRL) The Becket Fund for Religious Liberty, (COHRE) Centre on Housing Rights and Evictions, (CSW) Christian Solidarity Worldwide, (EG) Equal Ground, (GIECP) Global Initiative to End All Corporal Punishment of Children, (JS1) Joint submission (1) of Human Development Organization, International Movement against All Forms of Discrimination and Racism Asia Committee\*, Satyodaya Centre, Citizen’s Watch, University Students, (HEARTS) Human Power Foundation, Up-Country teachers, (HELP) HELP, Sri Lanka, Human Rights, Equality, and Lasting Peace, (HRW) Human Rights Watch\*, (ITS) Iankai Tamil Sangam, (LIDLIP) International League for the Rights and Liberation of People\*, (ILGA) International Lesbian and Gay Association, ILGA-Europe\*, Equal Ground Sri Lanka, International Gay and Lesbian Human Rights Commission, ARC International, joint submission, (IRPP) Institute on Religion and Public Policy, (II/TCHR) Interfaith International\*, Tamil Centre for Human Rights, joint submission, (ICJ) International Commission of Jurists\*, (JS2) Joint submission (2) of International Dalit Solidarity Network, International Movement against All Forms of Discrimination and Racism Asia Committee\*, Human Development Organisation, (IDMC) International Displacement Monitoring Centre of the Norwegian Refugee Council, (IED/AHL) International Educational Development, Inc.\*, Association of Humanitarian Lawyers, joint submission, (IHRC) Islamic Human Rights Commission, (JCSR) Joint Civil Society Report, jointly submitted by Association of Family Members of the Disappeared, Association of War Affected Women, Centre for Human Rights and Development, Centre for Policy Alternatives, Centre for Society and Religion, Centre for Women and Development, Christian Alliance for Social Action, Citizens’ Committee, Community Trust Fund, Ecumenical Association of Third World Theologians, Equal Ground, Families of the Disappeared, Father J. J. Bernard, Free Media Movement, Gampaha District Human Rights Committee, Dr. Mario Gomez, Home for Human Rights, Human Development Organisation, INFORM Human Rights Documentation Centre, International Friends for Global Peace, International Movement Against Discrimination and Racism, Law & Society Trust, Muslim Information Centre, Research and Action Forum for Social Development, Rights Now - Collective for Democracy, Right to Life Human Rights Centre, Transparency International Sri Lanka, United Federation of Labour, Women and Media Collective, (MAN) Manitham, Chennai, (MRG) Minority Rights Group International, (OMCT) World Organisation Against Torture, (PEARL) People for Equality and Relief in Lanka, (SLDF) Sri Lanka Democracy Forum, (SLCSWG) Sri Lankan Civil Society Working Group on Child Recruitment (Centre for Policy Alternatives, Institute of Human Rights, National Peace Council, Law and Society Trust, Mothers and Daughters of Lanka, International Movement against All Forms of Discrimination), joint submission, (STP) Society for Threatened Peoples, (TIC) Tamil Information Centre, (TRO) Tamils Rehabilitation Organisation, (WMC) Women and Media Collective.

related to the termination of the cease-fire agreement, civilian deaths, extrajudicial killings, unlawful police actions, torture, disappearances, use of child soldiers, the situation of internally displaced persons, and violence against women.<sup>31</sup> Many also expressed concern about the status of civil and political rights in Sri Lanka,<sup>32</sup> while questioning the independence of government agencies, and alleging impunity.<sup>33</sup> Establishment of an OHCHR field office was encouraged.<sup>34</sup> Additionally, other issues addressed included: discrimination based on gender, sexual orientation, and caste;<sup>35</sup> violence against and the health rights of women;<sup>36</sup> conditions of detention and the legal rights of detainees;<sup>37</sup> freedom of religion and expression;<sup>38</sup> the situation of internally displaced persons;<sup>39</sup> the rights of religious and ethnic minorities;<sup>40</sup> the plight of Sri Lankan migrants abroad;<sup>41</sup> and the effects of counter-terrorism legislation.<sup>42</sup>

## **Interactive dialogue<sup>43</sup>**

### **Presentation by Sri Lanka**

Sri Lanka used over 40 minutes to make its opening presentation and, given the one hour limit, therefore had relatively little time to answer questions raised during the interactive dialogue. The Minister of Disaster Management and Human Rights, Hon Mahinda Samarasinghe, began by noting Sri Lanka's active cooperation with the UN Human Rights Council since its inception in 2006. On the issue of an international presence in Sri Lanka, a request for technical assistance and capacity building measures was reiterated, but the idea of a permanent international presence (including an OHCHR field office) was denounced as detrimental to the growth of national institutions. Sri Lanka noted that it had a record of open and constructive dialogue with the Special Procedures. An overview of the independence and functionality of national institutions, especially the National Human Rights Commission and forthcoming Constitutional Council, followed. International cooperation and assistance was requested to strengthen Sri Lanka's institutional bodies. Mr Samarasinghe also dismissed the proposal of a standing invitation to the UN Special Procedures, on the grounds that since requests were already largely granted when received, there was no need for a standing invitation.

The Minister noted the countrywide initiative for the protection and promotion of human rights, which included a national mapping exercise to identify challenges, and to implement the recommendations of the treaty bodies and Universal Periodic Review. In answering written questions it had received, Sri Lanka also

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<sup>31</sup> HRW, CSW, MRG, JCSR, PEARL, ACHR, SLDF, IDMC, ICJ, ACHR, AI, TIC, GIECP, SLCSWG.

<sup>32</sup> OMCT, JCSR, AI.

<sup>33</sup> SLDF, OMCT, AI, HRW, PEARL, JCSR, ACHR, ALRC, MRG, AI, HRW.

<sup>34</sup> ICJ, SLDF, CSW.

<sup>35</sup> JS2, WMC, COHRFE, EG, LGBTIQ, JCSR.

<sup>36</sup> JCSR.

<sup>37</sup> LIDLIP, AI, ALRC, ACHR, WMC, HRW.

<sup>38</sup> IRPP, BFRL, JCSR, SLDF, ACHR, OMCT.

<sup>39</sup> IDMC, STP, SLDF, WMC, HRW.

<sup>40</sup> IDMC, PEARL, IHRC, ACHR, SLDF, JS1.

<sup>41</sup> HRW, WMC.

<sup>42</sup> OMCT, LIDLIP, ACHR.

<sup>43</sup> The UPR Working Group report can be found at <http://portal.ohchr.org/portal/page/portal/HRCExtranet>.

Fill in the form at [www.ohchr.org/english/bodies/hrcouncil/form.htm](http://www.ohchr.org/english/bodies/hrcouncil/form.htm) to receive a username and password. After accessing the first link mentioned in this footnote, click on 'Follow-up to human rights council resolution 5/1 on the institution-building package', then 'Universal Periodic Review' followed by '2<sup>nd</sup> session' and then 'Sri Lanka'.

acknowledged many areas of concern – the safety of humanitarian aid workers and human rights defenders; independence of the media; the practice of child recruitment; enforced disappearances and extra judicial executions, for which a special police unit had been set up; freedom of religion; and accusations of impunity. On the situation of terrorism in the country, the recent democratic elections were underlined, noting the integration of former terrorist groups into mainstream politics and the high voter turnout for the elections. The international community was requested to counter the fund-raising activities of terrorist groups. Throughout the presentation, references were made to collaborative efforts with various international organisations, and to national programs on issues of concern to the international community.

**Table on the interactive dialogue**

Country	Positive comments	Critical comments	Questions	Recommendations as (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review <sup>44</sup>

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<sup>44</sup> The State party responded to the questions posed on a thematic basis. Where responses on an issue were made, they are noted in the column corresponding to the first discussion of the issue.

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review <sup>44</sup>
Ukraine	<p>Notes open and constructive dialogue, with honest responses.</p> <p>Welcomes the establishment of a national human rights commission.</p>	<p>Concerned about the lack of implementation of recommendations from international bodies as well as recommendations from the national commission.</p>		<p>Cooperate with international mechanisms to implement human rights at all levels of society, and participate in the core human rights treaties as well as optional protocols.</p> <p>The capacity to promote human rights should be strengthened, as should the national commission.</p>		<p><i>Cooperation with international mechanisms:</i> Sri Lanka would continue to work with the OHCHR. See also <i>Presentation by Sri Lanka</i> above.</p> <p><i>Strengthening the National Human Rights Commission (NHRC):</i> The NHRC is a vital part of the human rights machinery. It is a vibrant, independent institution. Technical support would be welcome. It has been proposed to Parliament to strengthen the constituting enactment of the Commission.</p>

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review <sup>44</sup>
Canada		<p>The human rights situation continues to deteriorate.</p> <p>The Human Rights Commission is failing.</p> <p>The Government has not accepted international monitoring bodies.</p> <p>Notes that the International Independent Group of Eminent Persons (IIGEP) withdrew, citing a yearlong history of its recommendations not being addressed.</p>		<p>Strengthen national human rights mechanisms and their independence (including through implementation of the 17<sup>th</sup> amendment).</p> <p>Ensure access to humanitarian assistance for vulnerable people, and protect civilians, humanitarian workers, and human rights defenders.</p> <p>Take further steps to end the recruitment of child soldiers.</p> <p>Extrajudicial killings should be further investigated.</p>		<p><i>Efforts to advance human rights:</i> The situation of human rights is better than one year ago – there have been democratic elections with a high voter turnout; the Government has been determined to establish a political power-sharing arrangement; and basic services have been restored to areas of conflict.</p> <p><i>National human rights mechanisms:</i> see Ukraine above.</p> <p><i>Access to humanitarian assistance:</i> see Portugal below.</p> <p><i>Recruitment of child soldiers:</i> see Belgium below.</p> <p><i>Extrajudicial killings:</i> the delegation</p>
			<p><i>International Service for Human Rights</i></p>			<p>9</p>

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review <sup>44</sup>
<b>Bahrain</b>	Notes steps being taken to eliminate poverty (through the creation of national plans), and to strengthen health and education systems (including projects to increase income per capita, and to provide free education for all).		Further information requested on the teaching of human rights in schools.		Comprehensive report.	<i>Human rights education</i> : this is not mandatory under school curricula, but the Government would like to make it so.
<b>India</b>	Useful analysis on human rights and labour treaties.  The drop in illiteracy rates shows the effectiveness of the education program.  Commends Sri Lanka's cooperation with the UN.		Further information requested on Paragraph 38 of the State report (languages taught in schools).		Comprehensive report.	The Official Languages Act had not been implemented properly in the past, but was now being enforced. The education system was now teaching bilingually: it incorporated the two ethnic languages in schools, as well as the use of English.

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review <sup>44</sup>
<b>Cuba</b>	Positive role of Sri Lanka in international bodies, especially as a founding member of the Human Rights Council.  Despite internal conflict and its effects, and the need to restore security and welfare, there have been successes in education and health.			OHCHR to work in coordination with the Government to develop capacity and strengthen the national institutions.  OHCHR to help strengthen the National Human Rights Commission.		
<b>Palestine</b>	Democratic elections demonstrate a commitment to human rights.  Notes Sri Lanka's role in the Human Rights Council.			Further agreements needed with countries hosting Sri Lanka's migrant workers.		
<b>Sweden</b>	Open and comprehensive answers to written questions.	Impunity is an issue despite the national bodies in place to combat it. In view of this concern, there		Sri Lanka should accept requests for independent international monitoring of the		<i>Independent international monitoring: see Presentation by Sri Lanka above.</i>

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review <sup>44</sup>
<b>Belgium</b>	Notes the challenges faced by the State	<p>have been calls for international monitoring that are not accepted by the government.</p> <p>Disappearances and child recruitment continue.</p>		<p>situation.</p> <p>Take measures against impunity with regard to disappearances and child recruitment.</p> <p>Bringing perpetrators to justice should be a priority.</p>		<p><i>Impunity</i>: during the last year many indictments have been handed down, including many against senior officials. The State does not condone acts of impunity.</p> <p><i>Enforced disappearances</i>: the statistics on this matter may be misleading – some may have left the country under false documents, or moved elsewhere.</p> <p>Moreover, a special commission and police department have been set up to investigate and prosecute such complaints.</p> <p><i>Recruitment of child soldiers</i>: see</p>

Country	Positive comments	Critical comments	Questions	Recommendations (incl. questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review <sup>44</sup>
	<p>party and notes cooperation with the special procedures.</p> <p>Notes efforts, with the help of the international community, to rehabilitate child soldiers.</p>	<p>of child soldiers by the LTTE and the TMPV, the latter of which remains close to the Government.</p>		<p>Police and army complicity in child recruitment should be stopped.</p> <p>Urges improved efforts in rehabilitating child soldiers.</p> <p>Allow the OHCHR to strengthen its presence in the country.</p> <p>Ensure restitution and housing for Internally Displaced Persons.</p>		<p><i>Presentation by Sri Lanka:</i> – there is a zero-tolerance policy supported by strong legislative measures. The TMVP facilitated the release in April of 39 children held by the Karuna paramilitary group. UNICEF has recorded a reduced number of children held by the Karuna. The Government has called on all groups that have used children in armed conflict to cease the practice immediately and to release all minors in their custody.</p> <p><i>OHCHR presence:</i> see <i>Presentation by Sri Lanka</i> above.</p> <p><i>Internally Displaced Persons:</i></p>

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review <sup>44</sup>
<b>Portugal</b>	Notes Sri Lanka is a party to many treaties and optional protocols.	Notes that two visiting Special Rapporteurs reported the widespread practice of torture and extrajudicial killings. Sri Lanka lacks an effective international human rights monitoring system, and has denied requests by the High	What measures is the Government enacting to combat impunity with regards to torture and extrajudicial, summary and arbitrary executions?	Address torture and extrajudicial killings. Address impunity. Reconsider allowing an OHCHR presence with the mandate to monitor the human rights situation. Provide unrestricted access to humanitarian aid.	Quality report.	The situation has not deteriorated significantly of late. UN figures showed that the number of displaced had risen altogether by just 149 between the end of December and the end of April 2008. Though there were about 2,500 more in the North, these were offset by nearly the same number being resettled in the east. <i>Torture</i> : both the Committee against Torture (CAT) and the Special Rapporteur on the question of torture concluded that the practice of torture was not systematic in Sri Lanka. Unfortunately torture may be used occasionally by overzealous

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		<p>Commissioner for Human Rights to establish an independent OHCHR presence.</p> <p>Concerns remain about security issues, sexual abuse, child recruitment, and poor living conditions particularly with regard to housing, health care and education in internally displaced persons (IDP) camps.</p>		<p>Given the large number of Internally Displaced Persons, develop a clear policy of housing solutions for these people</p>		<p>investigators. Torture is a violation of an important fundamental right enshrined in the Constitution and an offence under the criminal law, which imposes serious punishments. Over the last year, criminal proceedings have been put in place against 61 police officers regarding alleged torture.</p> <p><i>Impunity</i>: see Sweden above.</p> <p><i>Extrajudicial killings</i>: see Canada above.</p> <p><i>OHCHR presence</i>: see <i>Presentation by Sri Lanka</i> above.</p> <p><i>Access to humanitarian aid</i>:</p>

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<b>Nepal</b>	<p>Notes democratic institutions, the resilience of the democracy, the independent judiciary, and the freedom of the media.</p> <p>Notes efforts on education, health,</p>				Impressed by holistic report.	<p>The Government has taken measures to ensure the safety of humanitarian workers and has given them access to populations in need. Restrictions are only to ensure that these persons are not caught up in the conflict. All fatalities and incidents are investigated and any violations punished.</p> <p><i>Internally-Displaced Persons</i>: see Belgium above.</p>

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	women's empowerment, and protection of children.					
<b>Luxembourg</b>		<p>There is evidence of the use of child soldiers in the armed conflict, as well as abductions.</p> <p>Women do not play a large role in decision making.</p> <p>There has been an increase in domestic violence.</p> <p>Women are particularly vulnerable with regard to high unemployment, access to health, and property rights.</p>	<p>What measures will be taken to improve the situation of women, particularly with regard to economic, social and cultural rights?</p>	<p>Continue to inquire into allegations of the use of child soldiers and disappearances, especially in areas held by the Government.</p> <p>Implement reintegration measures for former child soldiers that surrendered to the Government and are currently held in prison.</p>		<p><i>Child soldiers</i>: see Belgium above.</p> <p><i>Enforced disappearances</i>: see Sweden above.</p>
<b>Russian Federation</b>			<p>How did the Government take into account the need to protect human</p>		<p>Appreciates the substantial report.</p>	<p><i>Counter-terrorism measures</i>: the Government does not enforce extraordinary</p>

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<b>Ireland</b>	Appreciates Sri Lanka addressing the questions posed in advance.		rights during the employment of anti-terrorism measures and during post-tsunami recovery?  According to the State report, Sri Lanka requires international assistance in a few areas – has the government sent requests to the OHCHR based on these needs and what were the results?			measures outside the framework of the law. It has insisted that all arrests, detentions and investigations, including interrogations, are carried out in accordance with the due process of the law and in a manner that does not infringe human rights. All perpetrators of human rights violations would be prosecuted.
				Freedom of expression should be safeguarded. Investigate attacks on journalists and prosecute those responsible.  Protect human rights defenders (investigate and prosecute those		<i>Freedom of the media:</i> freedom of speech was guaranteed, with some media outlets being extremely critical of the Government. The real danger was for Tamil language journalists due to rivalries between Tamil groups. In the <i>Presentation</i>

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				<p>responsible for attacks on them).</p> <p>Ensure the national human rights commission is pluralistic and independent, and conforms to the Paris Principles.</p> <p>Address concerns regarding the use of registration of NGOs, to avoid constraining their activities.</p> <p>Permit the establishment of an OHCHR monitoring presence.</p> <p>Improve humanitarian access to vulnerable populations.</p>		<p><i>by Sri Lanka:</i></p> <p>A strong, independent and vigilant media is necessary for democracy to thrive. The Constitution enshrines the freedom of thought, the right to hold opinions and the freedom of expression. The Government is concerned about alleged attacks on the media, and does not condone or endorse such attacks. All complaints will be thoroughly investigated.</p> <p><i>National Human Rights Commission:</i> see Ukraine above.</p> <p><i>OHCHR presence:</i> see <i>Presentation by Sri Lanka</i> above.</p> <p><i>Humanitarian access:</i> see Portugal above.</p>

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review <sup>44</sup>
<b>France</b>			<p>How will Sri Lanka ensure the independence of the national human rights commission?</p> <p>What steps will Sri Lanka take to address impunity for human rights violations?</p>	<p>Take measures to ensure the creation of an independent national human rights commission.</p> <p>Allow the establishment of an OHCHR presence in the country.</p> <p>Follow up on recommendations made by the Special Rapporteur on torture.</p> <p>Ratify the Rome Statute of the International Criminal Court.</p> <p>Sign and ratify the International Convention for the Protection of All persons from Enforced Disappearance.</p>		<p><i>National Human Rights Commission</i>: see Ukraine above.</p> <p><i>Impunity</i>: see Sweden above.</p> <p>OHCHR presence: see <i>Presentation by Sri Lanka</i> above.</p> <p><i>Torture</i>: see Portugal above.</p> <p><i>Enforced disappearances</i>: see Sweden above.</p>

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review <sup>44</sup>
<b>Finland</b>		<p>Abrogation of the ceasefire agreement is a negative act.</p> <p>Concern for the situation of journalists and abducted children.</p> <p>IIGEP's departure had created a gap in the monitoring of the human rights situation.</p>	<p>What plans are in place to protect children and journalists?</p>	<p>Take measures to investigate enforced disappearances.</p> <p>Accept an independent OHCHR monitoring presence.</p> <p>Take measures to protect internally displaced persons (IDPs) with a long term housing plan, protection of their property, and the right to a safe return.</p>	<p>Very comprehensive report.</p>	<p><i>Protection of media:</i> see Ireland above.</p> <p><i>Abrogation of ceasefire:</i> this has allowed for discussion with moderate groups, so it is an advancement towards a solution. Further, the ceasefire did not greatly affect the number of IDPs.</p> <p><i>OHCHR presence:</i> see <i>Presentation by Sri Lanka</i> above.</p> <p><i>IDPs:</i> see Belgium above.</p>
<b>Bhutan</b>	<p>Extensive national report.</p> <p>Supports the national plan of action.</p>			<p>Continue to pursue programs in conflict areas, in order to meet the capacity building needs.</p>		

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review <sup>44</sup>
	Notes successes in the area of economic, social and cultural rights, as reflected in the Human Development Index ranking.			Recommends that the international community give tangible support to Sri Lanka.		
<b>Holy See</b>	<p>Applauds the comprehensive report and the creation of a national plan.</p> <p>Notes considerable recent challenges (tsunami, internal conflict), but commends Sri Lanka on human rights programs in place.</p>	Concerned about continuing recruitment of child soldiers by the Tamil Tigers and by the Karuna faction, which has ties to Government.	Requests further information on the findings of the national bodies on cases of enforced disappearances.	Investigate the recruitment of child soldiers.		<p><i>Recruitment of child soldiers</i>: see Belgium above.</p> <p><i>Enforced disappearances</i>: see Sweden above.</p>
<b>China</b>	<p>Constructive and cooperative approach to the report.</p> <p>Notes creation of a national human rights commission.</p> <p>Notes Sri Lanka's active and constructive role in</p>		What is the status of the preparation of a national plan of action on human rights?	Recommends the continuation of plans, with assistance from the international community, to enhance the capacity of the human rights institutions.		

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	<p>the Human Rights Council.</p> <p>Notes progress towards the Millennium Development Goals and the improved status in the human development index.</p>					
<b>Saudi Arabia</b>	<p>Notes the adoption of the Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR).</p> <p>Notes conformity to international obligations and promotion of the rights therein.</p> <p>Notes constructive dialogue with the OHCHR and other human rights bodies.</p>		<p>What steps are being taken to promote the political, economic, social, and cultural rights of minorities?</p>			
<b>Mexico</b>			<p>Further information requested on a bill to</p>	<p>Eliminate discrimination</p>		<p><i>Witness and victim protection.</i></p>

Country	Positive comments	Critical comments	Questions	Recommendations (incl. questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review <sup>44</sup>
			<p>protect victims and witnesses. Is there a time frame for approval of such a plan? Will the bill apply to victims of human rights violations?</p>	<p>against ethnic minorities, in line with the comments of the Committee on Economic, Social and Cultural Rights (CESCR), Committee on the Elimination of Racial Discrimination (CERD), Committee on the Rights of the Child and Committee on the Elimination of Discrimination against Women (CEDAW).</p> <p>Take into account the comments of the Human Rights Committee that Sri Lanka include all substantive provisions of the ICCPR within its national legal structure.</p> <p>Safeguard human</p>		<p>Legislation on the protection of victims and witnesses: Sri Lanka notes that the investigation into the killing of French aid workers is not yet completed, so a conclusion that the current mechanisms are not functioning is improper.</p> <p>The proposed new law on victim and witness assistance and protection has been agreed by the Supreme Court and is now before Parliament. It will put in place a legislative framework to provide assistance and protection to victims of, and witnesses to, human rights violations and other crimes. It will also establish a compensation</p>

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<b>Syrian Arab Republic</b>	<p>Notes progress in vital sectors including social services, women's empowerment, and access to education.</p> <p>Notes creation of a national human rights commission.</p> <p>Notes possible development of a human rights charter.</p>		<p>Requests further information on how the Government could provide services, aid, and salaries to areas under the control of the LTTE. What are the challenges involved?</p>	<p>rights protection during armed conflict, in compliance with international obligations.</p>		<p>mechanism for victims of crime and facilitate the provision of treatment.</p>
<b>Austria</b>	<p>Notes active role in the Human Rights Council.</p>	<p>Notes high number of IDPs.</p>	<p>Requests additional information about the situation of IDPs, and Sri Lanka's strategy to find durable solutions.</p>	<p>Human rights of IDPs should be safeguarded, with assistance afforded to them. Those providing such assistance should also be protected.</p>	<p>Comprehensive, constructive report.</p>	<p><i>Access to humanitarian assistance</i>: see Portugal above.</p> <p><i>IDPs</i>: see Belgium above.</p> <p><i>Protection of witnesses and victims</i>: see Mexico above.</p>

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<b>Columbia</b>	Notes progress in the advancement of women.		Regarding the elimination of violence against women, further information requested on objectives, and recent results.  Information requested on measures to ensure the representation of women in politics and other public spheres.	The rights of human rights defenders should be safeguarded.  Take measures to ensure the effective implementation of legislative guarantees for the protection of witnesses and victims.	Comprehensive report.	
<b>Slovenia</b>			Further information requested on the	Take appropriate measures to award		<i>Language policy</i> : see India above.

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review <sup>44</sup>
			<p>difficulties faced by the Tamil population in registering to vote and having Tamil recognised as an official language. What is being done to alleviate this situation?</p> <p>Is there a minimum age for voluntary recruitment of soldiers? Are there proper safeguards to ensure recruitment is not forced?</p>	<p>Tamils with full civil rights, including the right to vote.</p> <p>Investigate allegations of the recruitment of child soldiers, and hold perpetrators responsible.</p> <p>Invite an independent UN monitoring body to Sri Lanka.</p>		<p><i>Recruitment of child soldiers</i>: see Belgium above.</p> <p><i>UN monitoring body</i>: see <i>Presentation by Sri Lanka</i> above.</p>
<b>Philippines</b>	<p>Despite challenges, notes improvement in the status of women's health, and gender equality.</p> <p>Notes the building of an environment conducive to human rights protection.</p>					
<b>Belarus</b>		<p>Fight against terrorism has</p>	<p>Is Sri Lanka satisfied with the cooperation</p>	<p>The international community to assist</p>		

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<b>Pakistan</b>	Sri Lanka to be commended on its exhaustive presentation and report; as well as its institutional framework for human rights, including the national human rights commission, the advisory commission, and the establishment of an ombudsman.	diverted many resources. Notes that programs on sustainable development are unaffordable, as a result of these expenditures.	of the international community in its fight against terrorism?  Further details requested about the added benefits of the constitutional charter of rights.  What is the status of the 13 <sup>th</sup> amendment to the constitution?	in Sri Lanka's counter-terrorism efforts.  The international community should assist Sri Lanka in its counter-terrorism activities.  The OHCHR should work closely with Sri Lanka to build the capacity of the national institutions.		
						<p><i>The 13<sup>th</sup> Amendment:</i> is designed as a political remedy to the current conflict. It strives for provincial autonomy of the Eastern and Northern provinces.</p> <p><i>International assistance on counter-terrorism:</i> It is imperative that the international community effectively respect its obligations in terms of relevant Security Council resolutions and international</p>

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<b>New Zealand</b>	Notes the progress achieved over the last 20 years in the area of human rights.	<p>Concerned about the human rights situation given the 25 years of conflict (especially concerned about the status of children, the elderly, and minority groups).</p> <p>Notes reported increase in enforced disappearances, extrajudicial killings, and violations of international humanitarian law since the resumption of hostilities.</p> <p>Notes lack of effective investigation of such violations.</p> <p>Notes continuation of child recruitment.</p>	<p>What steps will be taken to protect minority groups and investigate human rights abuses against them?</p> <p>How will Sri Lanka assist children recruited as soldiers and improve measures designed to help them?</p>	Take measures to assess and improve the situation of child soldiers.	Stakeholders noted forced disappearances, and extrajudicial killings, especially of minorities.	<p>conventions by taking effective measures to counter terrorist fund-raising efforts.</p> <p><i>Recruitment of child soldiers</i>: see Belgium above.</p>

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<b>Brazil</b>	Sri Lanka to be commended on its institution building, including the National Human Rights Commission, and the Ministry of Disaster Management and Human Rights.	Concerned about the implementation of treaty provisions in the domestic context.	<p>What measures are being taken to strengthen the independence and effectiveness of the national human rights commission?</p> <p>What steps are taken to guarantee the rule of law, especially in the context of emergency regulations?</p>	<p>Recommends the extension of a standing invitation to UN special procedures and the ratification of the Optional Protocol to the <i>Convention Against Torture</i>.</p>		<p><i>National Human Rights Commission</i>: see Ukraine above.</p> <p><i>Standing invitation to UN special procedures</i>: not necessary, since requests for visits were largely granted when received anyway.</p>
<b>Romania</b>	Notes the creation of a commission to investigate allegations of abduction and recruitment of child soldiers.		<p>How does the commission to investigate allegations of abduction and recruitment of child soldiers operate, and what are its achievements?</p> <p>How has the Optional Protocol to the <i>Convention on the Rights of the Child</i> been implemented?</p>	<p>The government should continue to investigate the use of child soldiers and hold accountable those responsible.</p>		<p><i>Recruitment of child soldiers</i>: see Belgium above.</p> <p><i>Extrajudicial killings</i>: see Canada above.</p>

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<b>Latvia</b>	Notes that various special rapporteurs have been allowed to visit.		<p>What measures are in place to investigate extrajudicial killings?</p> <p>Requests information on measures taken to combat child labour.</p> <p>What is the minimum age of marriage, and can marriage take place without consent?</p>			
<b>Germany</b>	<p>Comments the active role of Sri Lanka in the Human Rights Council.</p>	<p>Regrets the abrogation of the ceasefire.</p>	<p>What measures are taken to compensate the void created by the abrogation of the ceasefire and subsequent termination of monitoring missions, particularly to monitor the human rights situation and effectively address</p>	<p>A standing invitation should be extended to special procedures to visit.</p> <p>Steps should be taken to restore and ensure the independence of the National Human Rights Commission.</p>		<p><i>Standing invitation to UN special procedures: see Brazil above.</i></p> <p><i>National Human Rights Commission:</i></p> <p>In regards to the downgrading in status of the National Human Rights Commission, Sri Lanka will work very hard through legislative and other means to remedy this. (See also</p>

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			<p>violations?</p> <p>The status of Sri Lanka's National Human Rights Commission was downgraded recently – what would be done to remedy this?</p>			Ukraine above.)
<b>Czech Republic</b>		Concerned about the use of torture.	<p>Requests elaboration of the measures to eliminate torture in detention facilities, and torture of human rights defenders.</p> <p>What is being done to ensure that victims of torture have access to assistance, including witness protection?</p>	<p>Take measures to strengthen the rule of law, especially regarding enforced disappearances, extrajudicial killings, and torture.</p> <p>Ensure punishment of those responsible for such violations.</p> <p>Conduct a systematic review of detention centres, and create a mechanism for complaints.</p> <p>Ensure prompt, impartial</p>		<p><i>Torture</i>: see Portugal above.</p> <p><i>Witness protection</i>: see Mexico above.</p> <p><i>Enforced disappearances</i>: see Sweden above.</p> <p><i>Extrajudicial killings</i>: see Canada above.</p>

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<b>Italy</b>			Will the death penalty be abolished?	<p>investigation into allegations of torture, and protection for witnesses.</p> <p>Fully implement obligations contained in human rights instruments.</p> <p>Ratify the Optional Protocol to the Convention Against Torture.</p> <p>Take further measures to end the practice of recruitment of child soldiers.</p> <p>Allow an independent OHCHR monitoring presence.</p> <p>The national action plan should provide specific benchmarks in a specific time frame.</p>		<p><i>Recruitment of child soldiers</i>: see Belgium above.</p> <p><i>OHCHR presence</i>: see <i>Presentation by Sri Lanka</i> above.</p>
<b>Netherlands</b>	<p>Welcomes visits granted to UN special rapporteurs.</p> <p>Welcomes national action plan.</p>					<p><i>Constitutional council</i>: the 17<sup>th</sup> amendment to the Constitution created the Constitutional Council. The</p>

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review <sup>44</sup>
<b>Poland</b>	Notes the existence of freedom of speech.	The freedom of speech is subject to restraints and limitations which give rise to situations of violence and intimidation, particularly with regards to the media.	What steps are being taken to implement recommendations made by the Human Rights Committee in 2003 to ensure freedom of speech?  What measures have been taken to combat sexual exploitation of	Establish the constitutional council, as provided for by the 17 <sup>th</sup> amendment to the Constitution.  Re-establish an international human rights monitoring presence.		Parliamentary Committee on the 17th Amendment has drafted an interim report. This will now proceed through the relevant legislative channels. The aim is to avoid future roadblocks to the effective functioning of the Constitutional Council.  <i>International monitoring presence: see Presentation by Sri Lanka above.</i>  <i>Media freedom:</i> there are no restrictions on the media. Even extreme Tamil media groups are tolerated. (See also Ireland above.)

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<b>Turkey</b>	<p>Notes positive progress achieved in the area of economic, social and cultural rights despite the security problems in the country.</p> <p>Notes that security forces are trained in human rights.</p> <p>Notes the promotion of gender equality.</p>	<p>Court cases on violence against women take an excessively long time to be resolved, and are often unsatisfactorily resolved.</p>	<p>children?</p> <p>What protections are in place for human rights defenders?</p> <p>Are there steps being taken to shorten the duration of cases of violence against women?</p>	<p>human rights defenders, and prosecute perpetrators of crimes against defenders.</p> <p>Respond more quickly to questions posed by UN special procedures.</p>		
<b>Japan</b>	<p>Japan will continue to provide technical assistance in the future.</p> <p>Notes fewer cases of kidnappings, forced disappearances and extrajudicial killings.</p>	<p>Regrets the termination of the mission of the International Independent Group of Eminent Persons (IIGEP).</p>		<p>Establish an effective victim and witness protection plan.</p> <p>Cases of impunity, torture, disappearances, and extrajudicial killings should be prevented,</p>		<p><i>The IIGEP</i>: it was not established to monitor the entire human rights situation, but to observe the functioning of the Commission of Inquiry.</p>

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<b>Denmark</b>		Reports indicate that torture is still widely practised.	<p>What specific measures are in place to protect the freedom of expression?</p> <p>Why is Sri Lanka opposed to the presence of an OHCHR field office, and why does it feel such an office would stifle the national institutions?</p> <p>What specific steps are being taken to implement the</p>	<p>and perpetrators of such crimes should be brought to justice.</p> <p>The capacity of the judiciary and the National Human Rights Commission should be enhanced, with international assistance.</p> <p>Take measures to protect freedom of the press.</p> <p>Accept an OHCHR field office.</p> <p>Implement the recommendations of the special rapporteur on torture.</p>		<p>Unfortunately, members of the commission commented on matters outside of their mandate.</p>
						<p><i>Freedom of expression/media:</i> see Ireland above.</p> <p><i>OHCHR presence:</i> see <i>Presentation by Sri Lanka</i> above.</p> <p><i>Torture:</i> see Portugal above.</p>

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<b>Guatemala</b>			<p>recommendations of the special rapporteur on torture?</p> <p>What is the Government doing to address the situation of caste-based discrimination in the country?</p> <p>What is being done to combat cases of abuse and torture by the authorities, especially those involving women in areas of conflict?</p> <p>Are there any plans to change the minimum age of criminal responsibility?</p>		<p>Welcomes the self-critical report.</p>	<p><i>Torture</i>: see Portugal above.</p>
<b>Egypt</b>	<p>Notes progress in the upgrade of human rights institutions.</p> <p>Democracy has been maintained despite</p>		<p>How does the government address the situation of internally displaced persons?</p>			<p><i>IDPs</i>: see Belgium above.</p>

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	the conflict in the country.		<p>How does Sri Lanka assess the adequacy of support from international organisations and donors on this matter?</p> <p>What steps are being taken by the Government to uphold minority rights?</p>			
<b>Azerbaijan</b>	<p>Supports Sri Lanka's efforts to eradicate terrorism.</p> <p>Notes positive cooperation with international organisations.</p>		<p>How are the human rights of internally displaced persons ensured, particularly during resettlement?</p> <p>How are those with psychological problems caused by the conflict treated?</p>			<p><i>IDPs</i>: see Belgium above.</p>
<b>Indonesia</b>	<p>Welcomes the restoration of democracy in parts of the country.</p> <p>Notes efforts to</p>		<p>What measures will Sri Lanka take to ensure humanitarian access to local and international agencies, particularly</p>			<p><i>Humanitarian access</i>: see Portugal above.</p> <p><i>National Human Rights Commission</i>:</p>

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	ensure that essential goods and services are provided, even in ‘uncleared areas’ of the conflict.		<p>to conflict areas?</p> <p>What steps will be taken to follow up on recommendations of special procedures and other mechanisms? What international support is needed to help in this regard?</p> <p>What measures does the Government intend to take to strengthen the mandate of the National Human Rights Commission?</p>			see Ukraine above.
<b>Malaysia</b>	<p>Notes Sri Lanka’s active role in the Human Rights Council.</p> <p>Notes the existence of legal and policy measures to address human rights shortcomings.</p>		<p>How does the Government intend to address the issue of child soldiers that are freed, and how will they be integrated into society?</p>	Supports the need for funding assistance for capacity building.	The State report addresses the challenges and gaps in the human rights system in the country.	<i>Child soldiers</i> : see Belgium above.

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<b>Morocco</b>	Notes the national action plan.		Requests further information about the administrative parliamentary commission and the competencies of the Ombudsman.	Encourages Sri Lanka to continue fully implementing international human rights commitments.	Notes that the Government consulted with stakeholders in the preparation of the State report.	
<b>Democratic People's Republic of Korea</b>	Notes progress in providing essential services including education for all, and health care.  Notes efforts to achieve the Millennium Development Goals.		Additional information requested on the protection of migrant workers, including women.			
<b>Tunisia</b>	Notes Sri Lanka's active participation in the Human Rights Council.  Sri Lanka's commitment to human rights is demonstrated by the		Requests further information on the right to health in the country.	Encourages the parties to seek a lasting peace in the conflict.		

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review <sup>44</sup>
	work accomplished in the conflict zones. Health care has been advanced.					
<b>Venezuela</b>	Notes Sri Lanka's commitment to human rights. Notes the reduction of poverty and the access to health care for minorities.		Requests further information on the Government's health plan.			
<b>Republic of Korea</b>	Welcomes efforts on human rights, despite the armed conflict. These have included building human rights institutions and mechanisms, and developing the national action plan for children.		Elaboration requested on measures to prevent the recruitment of child soldiers.  Elaboration requested on laws that discriminate against women, particularly in employment. What measures are in place to address this?	Encourages a dialogue with the OHCHR and human rights mechanisms.		<i>Recruitment of child soldiers</i> : see Belgium above.
<b>United Kingdom</b>	Notes a decrease in disappearances and			Counter-terrorism measures must be in		<i>Counter-terrorism measures</i> : see

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review <sup>44</sup>
	extrajudicial killings.			<p>accordance with human rights norms.</p> <p>Strengthen the National Human Rights Commission, and ensure its independence, in accordance with the Paris Principles.</p> <p>Implement the recommendations of the special rapporteur on extrajudicial, summary, or arbitrary executions.</p> <p>Take steps to disarm paramilitary groups.</p> <p>Increase the role of the UN in the country.</p> <p>Ensure the participation of civil society organisations, including those from</p>		<p>Russian Federation above.</p> <p><i>National Human Rights Commission</i>: see Ukraine above.</p> <p><i>Extrajudicial killings</i>: see Canada above.</p> <p>UN presence: see <i>Presentation by Sri Lanka</i> above.</p>

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<b>Algeria</b>	Notes Sri Lanka's role in the Human Rights Council.	Terrorism continues to be a problem.		multi-ethnic and conflict-affected areas, in the follow-up to the UPR. Support human rights machinery and capacity-building in national institutions. Give special attention to women's rights, including in education and development. Continue to work with the international community in the promotion of human rights, as well as on environment, disaster management, and HIV/AIDS.		
<b>Greece</b>	Notes progress on human rights, including through the establishment of the Ministry of Disaster Management and	Concerns about the end of the ceasefire and the termination of the monitoring mission.	Requests further information on the investigation of cases of disappearances and unlawful killings.	Accept an independent monitoring presence in the country. Extend a standing	Good report.	<i>Enforced disappearances</i> : see Sweden above. <i>Extrajudicial killings</i> : see Canada

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	Human Rights, and the Government's plans to support NGO involvement in human rights reporting.	Concerned about an increased number of disappearances and unlawful killings, including of humanitarian workers, as well as the practice of impunity.		invitation to special procedures. Take all necessary measures to end impunity for perpetrators of human rights violations.		above.  <i>Independent monitoring presence: see Presentation by Sri Lanka above.</i>  <i>Standing invitation to special procedures: see Presentation by Sri Lanka above.</i>  <i>Impunity: see Sweden above.</i>  <i>OHCHR presence: see Presentation by Sri Lanka above.</i>  <i>Child soldiers: see Belgium above.</i>
<b>USA</b>				Allow an OHCHR monitoring presence to monitor, investigate and report human rights violations, promote remedial measures, and promote capacity-building of the domestic mechanisms.  Investigate the killing of aid workers.		

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review <sup>44</sup>
<b>Islamic Republic of Iran</b>	<p>Notes positive efforts to protect human rights.</p> <p>Notes efforts to cooperate with UN human rights mechanisms.</p> <p>Notes the existence of women's programs, the children's national action plan, the national human rights commission, and the use of human</p>		<p>Further elaboration requested on steps taken by the Government on the rights of women and children, civil and political rights of minorities, and the elimination of torture.</p>	<p>Continue to take steps to demobilise and reintegrate child soldiers.</p> <p>Work with international and domestic non-State actors to stop recruitment of child soldiers.</p> <p>Encourages Sri Lanka to strengthen its legal safeguards to eliminate all forms of ill-treatment in prisons and detention centres.</p>	<p>Good report.</p>	<p><i>Torture</i>: see Portugal above.</p>

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review <sup>44</sup>
<b>Uruguay</b>	rights education. Appreciates Sri Lanka's cooperation with the UN system.		What measures are in place to ensure that children held in detention are given the care that they need?	Implement the recommendations of special procedures.		
<b>Sudan</b>		Terrorism impacts on the right to development and other economic and social rights.		Share experiences with regard to fighting terrorism, and improving social and economic development.		<i>Counter-terrorism measures</i> : see Russian Federation above.
<b>Australia (Statement not delivered during the interactive dialogue due to time constraints)</b>	Welcomes the recent indictment of security force personnel accused of abductions.  Commends the establishment of a hotline for families to check on the welfare of their relatives.	Concerned about disappearances, extra-judicial killings and abductions. As these often occur in high security zones, it indicates that pro-Government forces or the Government may be involved.	Further information requested on efforts to investigate and prosecute those responsible for any killings, disappearances, or abductions.  Further information requested on the status of new witness protection legislation.	Encourages Sri Lanka to strengthen the National Human Rights Commission.  Encourages the establishment of an independent monitoring body.		<i>Extrajudicial killings</i> : see Canada above.  <i>Enforced Disappearances</i> : see Sweden above.  <i>Witness protection legislation</i> : see Mexico above.  <i>National Human Rights Commission</i> : see Ukraine above.

Country	Positive comments	Critical comments	Questions	Recommendations (incl. questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review <sup>44</sup>
<b>Cameroon</b> (Statement not delivered during the interactive dialogue due to time constraints)						<i>Independent monitoring body</i> : see Presentation by Sri Lanka above.
		Concerned about the status of the right to health, education, equality among persons.		Continue efforts to educate about human rights, to reinforce the capacity of the National Commission on Human Rights, to reinforce the mechanisms for the protection of human rights, and the program to protect witnesses.	Commends Sri Lanka on the quality of its report.	<i>National Human Rights Commission</i> : see Ukraine above.  <i>Witness protection legislation</i> : see Mexico above.
<b>Ecuador</b> (Statement not delivered during the interactive dialogue due to time constraints)	Commends the importance Sri Lanka has placed on human rights (despite the conflict and devastating effects of the 2004 tsunami).					
<b>Lesotho</b> (Statement not delivered during the interactive dialogue due to time constraints)	Acknowledges efforts made to adopt a National Plan of Action (including a national mapping		In paragraph 18 of the State report, reference is made to the existence of the Parliamentary		Commends the comprehensive, transparent, balanced, and informative report.	

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review <sup>44</sup>
<b>time constraints)</b>	exercise)		Petitions Committee that may hold inquires regarding alleged infringements of human rights. Further elaboration is sought on the way its powers differ from the Parliamentary Commission (or ombudsman).			
<b>Maldives (Statement not delivered during the interactive dialogue due to time constraints)</b>	Commends Sri Lanka's role in the Human Rights Council.			Calls upon the international community to provide assistance. Pursue stated commitment to pluralism, the targeted recruitment of minorities to the police, and the greater integration of all communities.	Commends the report and presentation, noting the extensive consultation with civil society stakeholders in the process.	
<b>Qatar (Statement not delivered during the interactive dialogue due to</b>	(Translation of statement not available at the time of writing)					

Country	Positive comments	Critical comments	Questions	Recommendations (incl questions as recommendations)	References to State report/ UN compilation/ OHCHR summary	Replies by the State under review <sup>44</sup>
time constraints)						

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### ***Concluding Remarks***

In conclusion, the Hon Mahinda Samarasinghe thanked the Working Group for its recommendations, noting that comments would be taken back to the Government of Sri Lanka for its consideration. He reiterated that Sri Lanka was a multicultural, multilingual, and multi-religious society, and that only through the protection of this diversity could unity and peace be achieved in the country.

### **Adoption of the report [19 May 2008]**

Cameroon introduced the draft report on Sri Lanka on behalf of the troika. It commended the commitment and cooperation of the delegation, and paid tribute to the secretariat's skills and commitment. It was noted that the report contained 28 pages, which was an unusual length, but this was due to the fact that it was drawn up in the classic format (including recommendations considered, recommendations accepted, and recommendations rejected).

In its concluding remarks, Sri Lanka noted that 13 May was not only the day of the UPR for Sri Lanka, but also the day when one of the best-known Sri Lankan human rights activists was murdered by terrorists. The terrible crime encapsulated the challenges that Sri Lanka faced and the circumstances under which the country strived to protect and promote human rights.

The Legal Director of the Peace Secretariat continued by stating that the Government of Sri Lanka welcomed the opportunity to be reviewed. Sri Lanka remained committed to the objectives of the UPR, and to identifying ways in which it could work in partnership with the international community. Sri Lanka extended sincere thanks to all delegations for their contributions, to the members of the troika, and to the secretariat for the preparation of the report. Sri Lanka added that the UPR was a productive mechanism, and that it had benefited from the constructive suggestions made. Everything had been done to accept as many recommendations as possible.<sup>45</sup> Sri Lanka stressed the need for further improvement of the UPR mechanism, for example by increasing its transparency. It noted that the experience gained from the process should be shared, and reiterated its commitment to the success of the process as a whole and to the development of the Human Rights Council.

The President then made final remarks regarding the second UPR session. Recommendations would be considered and positions on them taken before the June session of the Council. In June, each of the 32 countries would have a one-hour meeting to discuss the outcome of the process and continue to the next stage. He reminded the audience that the UPR was a process, which had started before the session and would not end in June. Some elements may need improvement and amendment, so that the third session could take place under even better circumstances.

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<sup>45</sup> Sri Lanka made a number of 'voluntary commitments', which are contained in paragraphs 86-112 of the Working Group report.

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