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Letter dated 24 February 2013 from the Permanent Mission of Sri Lanka to the United Nations Office at Geneva addressed to the President of the Human Rights Council

I have the honour to bring to your urgent attention an issue of grave concern to the Government of Sri Lanka in relation to an invitation circulated by a non-governmental organization accredited by the Economic and Social Council, Human Rights Watch, on 22 February 2013, on the screening of a Channel 4 documentary film entitled “No Fire Zone: The Killing Fields of Sri Lanka”, organized by Human Rights Watch, Amnesty International and FIFDH Genève, in Room XXIII of the Palais de Nations on 1 March 2013.

The Government of Sri Lanka wishes to make the present submission with regard to the proposed screening of this film on the premises of the United Nations, as a side event of the twenty-second session of the Human Rights Council:

1. This is the screening of the third part of a much disputed film by Channel 4, whose narrative remains discredited, uncorroborated and unsubstantiated.
2. The consistent position maintained by the Government of Sri Lanka on the initial Channel 4 film and its first sequel has been articulated in several statements and press releases, including by the Permanent Mission of Sri Lanka on 16 March 2012.
3. It is pertinent to note that Economic and Social Council resolution 1996/31 of 25 July 1996, which stipulates the consultative relationship between the United Nations and non-governmental organizations, provides in paragraph 57 (a) for the suspension and withdrawal of the consultative status of the said organizations. In terms of the said resolution, a ground for suspension would include, inter alia, specifically where such an organization, either directly or through its affiliates or representatives acting on its behalf, clearly abuses its status by engaging in a pattern of acts contrary to the purposes and principles of the Charter of the United Nations, including unsubstantiated or politically motivated acts against States Members of the United Nations incompatible with those purposes and principles.

4. The film that is to be screened is the third of a series facilitated by non-governmental organizations accredited by the Economic and Social Council, and the second of a series shown on the premises of the United Nations, to coincide with Council sessions where Sri Lanka is reviewed. (The screening of the second Channel 4 film, “Sri Lanka’s Killing Fields”, on the premises of the United Nations was organized by Amnesty International in June 2011 to coincide with the seventeenth session of the Council.) This would therefore be the third occasion, which again coincides with a session on Sri Lanka, which is clearly part of a pattern of acts that are politically motivated and contain unsubstantiated material, and would clearly undermine the work of the Council and the status of its Member States.

5. In this context, it is the paramount duty of the Human Rights Council to ensure that non-governmental organizations are not in any manner facilitated in perpetrating unsubstantiated and politically motivated acts against countries in the Council. It is apt at this point to draw attention to the founding principles of the Human Rights Council of ensuring impartiality and fair play, upon which the Council was established and that govern its methods of work.

6. The timing and the venue of this screening clearly demonstrate that it is aimed at influencing the debate in the Human Rights Council on Sri Lanka. It is therefore our earnest view that the Council should not facilitate a process that undermines its own work and the engagement of its members with the Council, and leaves it vulnerable to politicization.

7. At a time when Sri Lanka is vigorously pursuing a process of reconciliation following three decades of conflict inflicted by LTTE terrorism, it is disturbing to note the efforts on the part of entities based overseas with links to rump elements of the LTTE, as well as certain non-governmental organizations with accreditation by the Economic and Social Council, in facilitating programmes containing unsubstantiated material that is morphed and diabolical. This approach not only provides members and observers of the Council with an extremely distorted and unbalanced view of Sri Lanka, but also has an adverse impact on the ongoing comprehensive reconciliation process in Sri Lanka. It also serves to strengthen the rump elements of the LTTE seeking refuge in the West, who use the propaganda value derived from the screening of this film as a tool to intensify their fundraising and recruitment activities, thereby undermining the process of reconciliation in Sri Lanka.

8. The failure of the Human Rights Council to deal with such a situation would be perceived as a process that is encouraged by the Council, thereby contravening the governing principles of the Charter of the United Nations and the work of the Council within its stipulated mandate.

9. The Government of Sri Lanka is therefore of the view that the above-mentioned film and the timing of its screening are part of a cynical, concerted and orchestrated campaign that is strategically driven and clearly motivated by collateral political considerations.

10. Considering the above circumstances, the Government of Sri Lanka strongly protests against the use of the premises of the United Nations for the screening of the above-mentioned film. It must be noted that the use of one’s premises and the conduct of activities on those premises is a liability to be taken upon by the authority having control over such premises. Clearly, any explanation that the use of premises once handed over to an organization that seeks to engage in such unwarranted activity cannot relieve an institution of its responsibility over such an activity. Such conduct based on administrative convenience is unacceptable.

I would appreciate it if you could kindly circulate the present communication as a document of the twenty-second session of the Human Rights Council, in all official languages, and also keep the secretariat of the Office of the United Nations High Commissioner for Human Rights informed thereof.

(*signed*) Ravinatha Aryasinha
Ambassador, Permanent Representative
