

**Opening statement by Mr. Shavindra Fernando, Deputy Solicitor-General, during the
consideration of Sri Lanka's second, third and fourth periodic reports by the
Committee on Economic, Social and Cultural Rights
under the International Covenant on Economic, Social and Cultural Rights,
8 November 2010, Geneva**

Mr. Chairman,

Distinguished members of the Committee,

Ladies and gentlemen,

The delegation of Sri Lanka is pleased to be present at this 45th session of the Committee on Economic, Social and Cultural Rights to engage in a constructive and an interactive dialogue with all its members, on Sri Lanka's national implementation of the International Covenant on Economic Social and Cultural Rights.

Mr. Chairman,

I am addressing this Committee at a time when Sri Lanka is at cross-roads, having emerged from a 30-year protracted armed conflict, defeating the menace of terrorism that stood in the way for far too long in achieving greater prosperity for all our people. The government has now seized the opportunity to deliver a peace dividend for all Sri Lankans, who until recently thought that the annihilation of the world's most ruthless terrorist organization was a pipe dream. Despite the conflict, Sri Lanka has consistently made great strides for the continued improvement in the fields of health, education and socio-economic development, which rank above many developing countries.

Mr. Chairman,

As of today, the total number of IDPs in the country has dropped to 18,380 when compared with almost 300,000 at the end of the conflict in May last year. These numbers speak for themselves. They demonstrate the unwavering commitment made by the Government to re-settle these people and assist them in bringing normalcy back to their lives by creating and supporting livelihoods, and providing the basic required facilities, such as transport, schooling, healthcare, water and sanitation, among others. An accelerated de-mining programme is also in place, in collaboration with a number of international humanitarian agencies, to facilitate the return of the remaining IDPs.

Mr. Chairman,

With the ending of the terrorist conflict, the Government commenced the scaling down of legislative provisions, which were no longer necessary but were previously needed to deal with an extraordinary security situation that prevailed in the country. As a first step in this direction, in May this year, the Government withdrew nearly 70% of these regulations, which had been continuously in force since August 2005. This process has repealed the provisions no longer needed, and modified several others. Among those repealed were the emergency provisions pertaining to freedom of expression. This also resulted in further relaxation of provisions pertaining to publications and printing, distribution and possession of literature. These measures would serve to additionally protect journalists, human rights defenders, civil society etc. The provision with regard to search of household premises has been amended in keeping with the relevant principles of the ICCPR. The roll back of the Emergency Regulations at this juncture is only the beginning of a process which will be continued as and when the ground conditions become conducive to their further relaxation.

Mr. Chairman,

We have also rehabilitated all of the 667 former child combatants and reunited them with their families. The government has thereby ensured the protection and promotion of the rights of former child combatants and their successful reintegration back into society. Significantly, this process was premised on them being identified as victims and not as offenders. This rehabilitation process involved psycho-social counseling, spiritual guidance and social rehabilitation, special education classes and vocational training.

We have also rehabilitated 5,221 ex-combatants and reintegrated them into society. As of November this year, 6,475 ex-combatants who still remain in Protective Accommodation and Rehabilitation Centres are undergoing vocational training under the government's rehabilitation programme.

Mr. Chairman,

Last August, the government established an independent Lessons Learnt and Reconciliation Commission (LLRC), marking an important landmark for Sri Lanka as it returns to peace and stability. This Commission is part of a wider package of measures taken by the government to further accelerate the process of reconciliation and create conditions for a stable and prosperous future. With emphasis on restorative justice, this Commission is focusing on,

among others, determining responsibility regarding past events in question related to the conflict. As I speak Mr. Chairman, this Commission is holding hearings in the northern peninsular in order to obtain views and accounts of the people in this former conflict-stricken area and to give evidence before the Commission. Therefore, we reject any aspersions cast on the work of this Commission, which regrettably seeks to prejudge its outcome when it has only begun its work, three months ago.

In reaching another milestone in this endeavour, recently the Cabinet approval was granted to set up an Inter-Agency Advisory Group (IAAG) under the chairmanship of the Attorney-General to facilitate the early implementation of the interim recommendations that have already been made by the LLRC.

These interim recommendations, *inter alia*, seek measures for the speedy disposal of cases relating to persons in detention, in keeping with due process, to ensure family members are informed in the event of the change of location of detainees, private land in former conflict areas not to be used by any government agency etc. Additionally, in order to further strengthen law and order in former conflict areas, it has been recommended, where necessary, the disarming of any remaining armed groups carrying illegal weapons. Administrative changes relating to the use of one's language in business with government and facilitation of closer interaction between people and government authorities have also been recommended. This Inter-Agency Advisory Group is also expected to encourage socio-economic progress, facilitate livelihood efforts through improved coordination and communication among relevant agencies, and greater opportunity for people's participation in economic and related activities.

Mr. Chairman,

In early September, under a Presidential directive, a Cabinet sub-committee assisted by the Attorney-General was appointed to fine-tune the formulated draft National Action Plan for the Promotion and Protection of Human Rights and make recommendations to the Cabinet expeditiously in order to come out with a feasible and time-bound action plan for implementation. This is in keeping with our voluntary pledge made during the Universal Periodic Review of Sri Lanka at the UN Human Rights Council.

Mr. Chairman,

Recently, the Parliament of Sri Lanka enacted with an overwhelming majority the 18th Amendment to the Constitution. This establishes an extremely workable Parliamentary Council and a simplified process of appointing members to the Commission's dealing with Human Rights, the Public Service, National Police, and Bribery and Corruption. These appointments would be made very shortly.

Mr. Chairman,

The Sri Lankan economy continues to experience a steady growth despite the unprecedented natural disaster caused by the tsunami in December 2004 and the internal conflict, which ended in May last year. This has demonstrated the resilience of the country's economy not only to these internal factors, but also to external shocks such as the global financial crisis, food and oil crises, etc. Several economic fundamentals are emerging favourably; inflation has moderated, interest rates have come down, international reserves have reached an all time high, the investment climate has improved, as a result of which, the growth prospects are quite promising and robust.

With GDP of US\$ 42 billion, Sri Lanka is a small, vulnerable and open economy significantly dependent on foreign trade. Import and export trade together with private remittances accounts for nearly 70% of GDP. Over the last three and half decades, our economy has transformed from the status of a primary product exporting economy to a manufacturing product exporting economy. Another significant feature of the Sri Lankan economy is the continuous increase of the relative importance of the services sector; with a share of about 60% of the GDP, surpassing the manufacturing sector.

Besides, during the last five years, we saw our GDP per capita income almost double, from US\$ 1051 in 2004 to US\$ 2053 in 2009. As a result, at the beginning of the current year, the IMF graduated Sri Lanka to 'Middle Income Emerging Market' status, thus enabling the country to project itself strongly in the international financial and capital markets. We have set targets to double the GNP per capita to reach US \$ 4000 by 2016. We have posted a strong economic growth of 7.8 % during the first half of 2010. Annual GDP growth for the current year is expected to average above 7%.

Furthermore, the Colombo Stock Exchange has become one of the best performing stock markets in the world, recording a growth of 111.14 % in October this year. The Economist Intelligence Unit ranked Sri Lanka among the Top Ten Fastest Growing Economies in the world. In the World Prosperity Index released last week, Sri Lanka has climbed 9 positions from 2009 and is ranked 59 among 110 nations, positioning itself well above several developing countries in the region.

Mr. Chairman,

This distinctive transformation of our economy over the years is largely attributed to our continued effort of pursuing an export-oriented liberalisation strategy initiated in 1977 with more focus on industrialization objectives. We wish to build further on open market trade policies to generate rapid economic growth, expand exports, create jobs, and improve the efficiency with which resources are allocated. Open market trade policies are an important ingredient of our national development plans. However, we place greater emphasis on ensuring that open trade policies are mainstreamed to our development strategies in such a manner that the results of trade opening will yield benefits to all, helping to bring about a more equitable society. This dimension of trade development policies has received increased attention in our recent development policy formulations.

Mr. Chairman,

The gender dimension has also always been an important consideration in shaping our national economic and trade policies for empowerment of women, especially for improvements in the livelihood of rural women, and we have made significant strides in this area. For example, according to the Global Gender Gap report 2010, Sri Lanka is ranked in the 16th position, way above some of the developed countries. This report states that “Sri Lanka (16) is distinctive for being the only South Asian country in the top 20 for the fourth consecutive year. Sri Lanka’s performance remains steady as it maintains the same rank as at 2009.”

Sri Lanka as a developing country has made effort to implement policies in line with internationally agreed parameters to achieve a balance of the three pillars of sustainable development, namely, economic growth, social development and environmental sustainability. Our policy follows the vision that sustainable development is achieving sustained economic growth that is socially equitable and ecologically sound, with peace and

stability. In this context, the National Council for Sustainable Development (NCSD) has been established under the Green Lanka (Haritha Lanka) Programme in collaboration with all relevant Ministries. In order to ensure environmental sustainability in our development efforts, government Ministries have been re-oriented with greater emphasis being placed on addressing energy, climate change and other environmental aspects. Sri Lanka's National Cleaner Production Centre (NCPC) was established with the support of UNIDO to serve the needs of the industrial sector. This initiative facilitates national development projects to follow cleaner production principles.

Mr. Chairman,

85% of the people of Sri Lanka have access to safe drinking water, and 86% of the households have electricity. The road density in Sri Lanka, which stood at 1.6 km of roads of every sq. km in 2009 was higher compared to that of other countries in the region. Telecommunications sector registered a significant growth in 2009. The number of mobile connections was increased by 25.9 %, which amounts to 13.9 million mobile phones out of a population of 20 million.

Mr. Chairman,

In a comprehensive report on the US\$ 2.6 billion stand-by-arrangement to Sri Lanka, the IMF also observed recently that Sri Lanka's overall economic conditions are improving as expected, and the economy is likely to show strong growth this year. According to this report, Sri Lanka has shown remarkable progress with low inflation, which is expected to remain at a single digit level for this year. Strong external balances, a high rate of remittance inflows, comfortable levels of gross reserves and rapidly improving tourism prospects will continue to support economic growth prospects.

Under these encouraging and favourable conditions, the government has drawn up plans in line with the "*Mahinda Chintana*- Vision for the Future' to implement an ambitious roadmap across the island for ensuring long-term socio-economic development.

Mr. Chairman,

Last week, Sri Lanka delegation to our Third Trade Policy Review under WTO observed that similarly situated countries in terms of financial, trade and development needs should be

treated equally and that trade policies should not be utilized to achieve foreign policy objectives, which are not consistent with WTO standards.

Mr. Chairman,

As a result of the significant economic growth that Sri Lanka is currently enjoying, the number of *Samurdhi* concession recipients in Sri Lanka has decreased due to improved income levels. As you may be aware, *Samurdhi* is the primary social security scheme of the government aimed at alleviating poverty among the low-income households. At present, there are 1.6 million families who are *Samurdhi* recipients compared to 1.9 million in 2005.

Mr. Chairman,

These achievements have also contributed to substantial progress in Sri Lanka's achievements in meeting MDG targets, particularly in reducing poverty from 26.1 % in 1991 to 15.2 % in 2007, with the unemployment level halved during the past decade. The 2009 UNDP Human Development Report shows that Sri Lanka has made considerable progress in alleviating poverty. The latest MDG data indicates that the country is well on track to achieving the goal of eradicating extreme poverty by 2015.

Since the country gained independence in 1948, successive governments have maintained a focus on primary health care, especially maternal and child health in rural areas, ensuring free provision of basic services and supporting community-based initiatives. With free liberal access to health facilities, care is almost universal with 98% of childbirths taking place in hospitals. Further, maternal mortality at child birth (11.3 per 1000 births) and child mortality (39.3 per 100,000 births) are almost at MDG levels and the government will seek to further improve these positive conditions.

Mr. Chairman,

Children under 18 years constitute 36% of Sri Lanka's 20 million population. 1/4th of the total population is of school going age, and our commitment to children is reflected in the massive investment that successive governments had made in education since independence. Education from Grade-1 to University is state funded and free. The Government also provides some of the school text books, uniforms and a mid-day meal. As a result, recruitment to primary schools stands around 97.5% and literacy among children between the ages 15 – 24 is around 95%. The ratio of girls to boys in primary education reached 99%. With 20.3% of the

country's population having access to a computer, our children have now begun to freely benefit from the world of knowledge.

Mr. Chairman,

Sri Lanka has become a key partner in the international labour migration platform over the last three decades, as a significant labour supplier from the South Asian region. With the opening of employment opportunities in the Gulf region, the annual rate of migration of Sri Lankans has increased rapidly and at present, stands at an average of 250,000 persons per annum. Thus, the estimated 1.8 million Sri Lankans in present day overseas contract employment equals 25% of the total employed population of 7.2 million, which constitutes nearly 10% of the total population.

Mr. Chairman,

Sri Lanka, as a party to the UN Convention on migrant workers is fully aware of its responsibilities towards the welfare and protection of this important segment of our society as well as their family members. With this objective in mind, a comprehensive labour migration policy was developed with ILO assistance incorporating provisions, concepts, and best practices as enshrined in different international instruments. The three major objectives that underpin this policy document include (a) better governance and regulation of labour migration (b) providing effective protection and welfare services to migrant workers and their family members and (c) mobilizing the contributions of labour migration effectively for social development.

Mr. Chairman,

In conclusion, the National Report that we have submitted has covered a number of key areas of our achievements as well as challenges we face in the full implementation of the International Covenant on Economic, Social and Cultural rights. This delegation stands ready to provide any further information, clarifications and updates during this interactive dialogue to enable the Committee to arrive at appropriate, practical and constructive set of recommendations for Sri Lanka in our common endeavour to fully implement the provisions of the Covenant at national level.

Thank you.