

THE INTERNATIONAL MOVEMENT AGAINST ALL FORMS OF DISCRIMINATION AND RACISM

IMADR Oral Statement, Human Rights Council 14th Session

Item 3: Interactive Dialogue with SR torture, SR HR & terrorism, WG detention, and WG disappearances

Mr. President,

Sri Lanka has continued to fail to address the ever growing problem related to disappearances. Since 1989 reports and documentation related to disappearances have piled up with no effective responses from the authorities. For instance in a Report submitted by the Committee on Disappearances of the HRC-SL released in October 2003 states the following “Four Presidential Commissions of Inquiry into Involuntary Removals and Disappearances of persons have reported on a total of about 30,000 complaints. The complaint referred to us constitute only a minor fraction of total number of the disappearances. The All island Commission appointed by the then President Chandrika Bandaranaike published in March 2001 have not been presented in Parliament. There has been little or no public discussions on any of the observations and recommendations made in them”. We quoted from this report to illustrate the seriousness related to the prevailing culture of impunity in Sri Lanka where no effective investigations have taken place related to disappearances from 1989 to 2009 for over 2 decades. Thousands more disappeared in the period from 2006 to 2009 during the recent war. Since the establishment of the Working Group, 12,226 cases have been transmitted to the Government. Of those, according to the WG’s report to 13th HRC, 5,651 still remain outstanding. The recent case of journalist Prageeth Ekmaligoda who disappeared on 24th January 2010 is a case in point.

The questions is often asked as to who wants the past investigated. Clearly the victims do, whereas those who are directly and indirectly responsible for the crimes and those who favour a cover up, do not. Families and NGOs working with victims have provided adequate information to the WGID.

Available documentation reveal that thousands of innocent persons could be arrested, indefinitely detained, tortured, raped and killed and their bodies disposed with no information provided and no records kept. While those directly involved in such acts are directly responsible but so too those complicit in any stage of these operations. Special responsibility lies with those at the apex of the command structure who permitted this state of affairs to exist.

It is not a conspiracy against any government to call for investigations related to human rights violation of this nature. It is the duty of the international community bound together to uphold human value and dignity to raise the voices for accountability. We as civil society are engaging with the UN system and various mechanisms calling for justice for victims in Sri Lanka and put an end to the impunity.

Thank you.