

THE INTERNATIONAL MOVEMENT AGAINST ALL FORMS OF DISCRIMINATION AND RACISM**IMADR Oral Statement: 19th Session of the Human Rights Council****Item 3: Interactive Dialogue with the Working Group on Enforced or Involuntary Disappearances**

5 March, 2012

Thank you Madame President,

IMADR welcomes the report and recommendations of the Working Group (WG) and express its sincere and continuous support to its irreplaceable work. We also commend the work of WG that clarified 448 cases in last five years, while sharing the view that adequate resources and assistance needs to be provided to the WG in order for it to fully realize its mandate. As WG states, over 40.000 cases are still to be clarified, though the number only refers to those reported to WG. Despite the efforts of all committed parties, the issue of disappearance is still actual reality and serious challenges in many countries.

As an example, we wish to draw to your attention the situation and negative trend in Sri Lanka. Even last 6 months, 29 abductions and 3 missing persons reported in media and most of them are still 'disappeared'. The manner of these abductions is equally alarming, especially to the Sri Lankan human rights community, recalling of the 'white van and the unidentified gunman' which plagued the country in the period from 1987 to 1989 and prompted two country visits by the Working Group in 1991 and 1992. The discovery of a charred body of a man on a small street in Colombo in the morning of February 13 this year has further heightened these concerns. Since October 2011, 10 dead bodies were discovered in addition to the 7 abductions. Among those abducted and disappeared are those identified by the Police as criminals and 'underworld' characters. Relating persons disappeared to the underworld points to a disturbing trend of 'social cleansing' being used to gain public support for the killings and to divert attention from the very fact of the collapsed rule of law in the country. This trend is also a ground which prevents HR defenders from visiting Geneva due to the fear of being targeted of such acts and reprisals. Another concerning situation is disappearance of those who surrendered or arrested to the Army in May 2009. At least 18 testimonies were made to Sri Lankan's Lessons Learnt and Reconciliation Commission and documented in its report in pages 109 – 114, to which a list of more persons stated to have surrendered and alleged to be missing was attached.

Prgaeeth Eknaligoda a media activist is missing since 24th January 2010. A CAT member raised a question on this case during the CAT examination of Sri Lanka in November last year. Responding to this, the former Attorney General, who led the State delegation, has mentioned that the delegation has reasonably certain information that Mr. Eknaligoda has taken a refuge in a foreign country. We are wondering whether this information is provided to the WG. In addition, two political activists, Mr. Lalith Kumar Weeraraj and Mr. Kugan Muruganandan were last seen by relatives in Jaffna, at 5 pm on 9th December 2011. Any information should be shared by all relevant stakeholders including State actors who wish to clarify cases of disappearance as soon as possible.

We are also facing difficulty in clarifying cases in which State actors are involved. Against this backdrop, we would like to ask WG how we should approach those cases, while preventing reprisals and intimidation against victims and their supporters. We also recommend the States to which request for visits were sent by the WG to accept these as soon as possible, if they are genuinely willing to combat the issue. Efforts are required from all involved actors until the last case is clarified and justice is brought to the victims.

Thank you Madame President.