

THE INTERNATIONAL MOVEMENT AGAINST ALL FORMS OF DISCRIMINATION AND RACISM

**IMADR Oral Statement: 25<sup>th</sup> session of the Human Rights Council**

**Item 2: OHCHR Report on promoting reconciliation and accountability in Sri Lanka**

26 March 2014

Thank you Mr. President.

IMADR deeply appreciates the work of the High Commissioner for Human Rights on Sri Lanka, including her Report to the Council at this 25th session. The Report accurately captures the critical human rights concerns facing Sri Lanka, and points the Council to a course of action that is most likely to deliver Sri Lanka from its troubling spiral downward into militarization, authoritarianism and impunity.

The High Commissioner's Report draws particular attention to the issue of detainees and recommends the repeal of the draconian Prevention of Terrorism Act or PTA which leads to a range of abuses, including through the provision that an individual may be detained by the executive without charge for up to one and a half years. Five years since the end of the war, the Prevention of Terrorism Act has continued to be wielded by the government in its campaign to target dissidents, journalists, opposition politicians and human rights defenders. Two of my own dear friends and colleagues were recently arrested for engaging in human rights work in the North of Sri Lanka and threatened with prolonged detention without charge under the PTA. Mercifully, pursuant to widespread expressions of international concern, they were released two days later but have been ordered not to speak openly about their ordeal. Over the last two weeks – coinciding with the Council's deliberations on Sri Lanka – the military has extended a security blanket over the entire Northern Province. The extraordinarily high military presence in the North has been used in the last few days to search and ransack homes, arrest dozens of individuals including victims and human rights defenders, reinforce a culture of fear, and assert the control of the military over all aspects of civilian life.

The Government of Sri Lanka (GOSL) did not execute the war alone. It received the support from powerful countries both inside and outside Asia. The GOSL failed to fulfil own pledges given to this very same Council in 2009. The most important is to find a sustainable political solution and take steps to create a credible national mechanism. Unfortunately, today my country is under your scrutiny for failure to respond constructively to the pressing challenges which arose out of the war. How do you address the issue of the large number of disappearances during the period from 2005 to 2011? Who were riding white vans? Who took our children and husbands away while armed forces were at check points? Who killed Lasantha Wickramatunga, a renowned journalist, and Hon Ravi Raj, a MP of the TNA, in broad day light few feet away from army check points in the capital of

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Sri Lanka? Many of those who surrendered have disappeared after the war. The case of Prageeth, a journalist who disappeared in 2010, is dragging with conflicting reports given by politicians and lawyers, including the former AG who is now the Chief Justice.

How can authorities refuse to investigate into the cause of death of prisoners who were in judicial custody? The Sri Lanka Broadcasting Corporation facilitated a radio programme which permitted callers to discuss openly for over one hour on how to eliminate civil society activists who are attending this 25th Council session, including myself. According to the police, the State controlled radio station has informed them that the tape cannot be found, therefore the police are unable to continue the investigation. The Ceylon Daily News, the print media controlled by the Government refers to those NGOs and political leaders as charlatans.

It is therefore of critical that the Council acts now to deliver a clear message to the GOSL. It is time the Council insists that the GOSL breaks with the past and embrace a peaceful and secure future – a future in which the protection of human rights and action against impunity will preclude future destruction. The Council must thus take the next step recommended by the High Commissioner and mandate an international inquiry mechanism that will advance transitional justice in Sri Lanka, while monitoring continuing violations. Victims of the past and future generations of Sri Lankans deserve nothing less.

Thank you Mr. President.