

## THE INTERNATIONAL MOVEMENT AGAINST ALL FORMS OF DISCRIMINATION AND RACISM

### **IMADR Oral Statement: 37th session of the Human Rights Council**

#### **Item 2: General Debate on the country reports of the High Commissioner for Human Rights and the Secretary-General**

21 March 2018

Speaker: Ameer Faaiz

Thank you Mr President, Madame Deputy High Commissioner,

We thank the High Commissioner for his continued commitment to reconciliation, accountability and human rights in Sri Lanka. As recent events remind us, without the full attention of the UN Human Rights Council (UNHRC) and Member States, Sri Lanka risks a reversal even of the modest progress it has made. The UNHRC cannot fail Sri Lanka again.

The Sri Lankan government made a public commitment through HRC Resolution 30/1 to a process of reconciliation and accountability through the establishment of four mechanisms for transitional justice including to introduce security sector and constitutional reforms.

More than two and a half years later, except for a recent start on the Office of Missing Persons (OMP), none of the other transitional justice mechanisms are operational. There has been only minimal progress. No confidence building measures have been put in place to create a conducive atmosphere for reconciliation.

The failure to tackle institutionalized impunity since the end of the armed conflict in 2009 has once more been highlighted, whilst this session has been underway, by a new wave of targeted violent attacks against the Muslim population. Mosques, homes and businesses establishment were the targets of this mob violence encouraged by a small number of extremist Buddhist monks, some with inflammatory political agendas and links. Regrettably, the law enforcement authorities failed to uphold and enforce law and order in a timely manner and may even, in some cases, allegedly have been complicit.

We have repeatedly called upon the Government to take swift action against hate speech to ensure non-recurrence by demonstrating its resolve against forces and structures of anti-minority violence. We welcome the urgent calls from the OIC, the EU, the Elders and others for immediate action to control hate speech and avoid the spread of violence and urge the UNHRC and all Member States to remind the Government both of the need to bring those responsible to justice for committing and instigating the latest acts and to tackle the root causes of violence. Emergency relief and meaningful reparations must be made available without delay.

Above all, the Government must actively address the rising fears of the minority populations through clear messages and actions that demonstrate its commitment to the respect and promotion of the rights of all communities of Sri Lanka.

Such acts of violence have an impact on economic, social and cultural rights of all Sri Lankans. These incidents had adverse impacts on tourism and the flow of foreign direct investments essential for

economic growth. This yet again undermines the prospects for Sri Lanka to translate its extraordinary natural and human resources, its strategic location and the wealth of its diversity into benefits for all.

The OMP, as its first task, should endeavour to re-build the trust of the families of the disappeared and missing. It is the duty of the UNHRC to monitor effective implementation of the mandate of the OMP and further contributes directly to the satisfaction of broader demands for institutional reform, justice and accountability.

Sadly, the victims of violence in Sri Lanka's civil war have not forgotten the UN's past failure to protect them. The failure to provide effective remedies to victims will compel all affected as stated by the High Commissioner to explore "the application of universal jurisdiction to foster accountability".

They now look to this Council to help to tackle impunity by playing an active role in ensuring that the commitments made under Resolution 30/1 are fully implemented.

The Government of Sri Lanka is urged to immediately:

- Work to a time bound implementation of its commitments;
- Expedite institutional reforms and guarantees of non-recurrence; and
- Pursue Constitutional reform process and strengthen democratic aspirations of people.

The UNHRC is called on to:

- Mandate a team of Special Procedure mandate holders to continue to monitor these commitments, expand its field presence in Sri Lanka and to report back to this body in 2019 - and beyond; and
- Provide all technical assistance required to achieve just and lasting peace, reconciliation, equality and political settlement in Sri Lanka.

Thank you.