



# INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

*" dedicated since 1952 to the primacy, coherence and implementation of international law and principles that advance human rights "*

*Human Rights Council*

*4th session, 12 to 30 March 2007*

*Report of the High Commissioner for Human Rights*

*Interactive Dialogue*

## **Oral Intervention of the International Commission of Jurists**

Mr President,

The International Commission of Jurists (ICJ) is deeply concerned about the human rights and humanitarian situation in Sri Lanka.

Civilians are caught in the middle of an escalating conflict in Sri Lanka, in which the fundamental principle of distinction between civilians and combatants is not being respected by all parties to the conflict. The situation has not improved since the Council met in December and justifies continuing, special and close scrutiny by the Council. The ICJ would therefore ask the High Commissioner to continue to monitor the situation and make recommendations on any role that the Human Rights Council should play.

At the second session of the Council in September, the High Commissioner rightly stated, and I quote: "There is an urgent need for the international community to monitor the unfolding human rights situation as these are not merely ceasefire violations but grave breaches of international human rights and humanitarian law".

Mr President, this very poignant statement applies even more today than it did six months ago.

In this light, the ICJ urges the High Commissioner and member states of the Council to establish a full-fledged international human rights field operation, which could play a significant role in helping to protect lives. This field operation can contribute to improvements in the immediate protection of civilians as well as develop constructive mechanisms through which Governments can collaborate with OHCHR to respond to the human rights situation in Sri Lanka. With this in mind, the ICJ encourages the Government of Sri Lanka to invite the High Commissioner for Human Rights to visit Sri Lanka.

Mr President,

During 2006, the Colombian population continued to suffer from the persistent and very serious human rights and humanitarian crisis in the country. Between July 2002 and June 2006, more than 11'000 people were killed or disappeared. The overwhelming majority of these crimes have been committed by paramilitary groups. However, the number of cases directly involving state actors has increased. The ICJ is deeply concerned that, despite the "demobilization process", paramilitary

structures have not been dismantled. On the contrary, paramilitary groups have consolidated their political, economic and social control, as shown by numerous recent scandals involving the infiltration of state institutions by paramilitaries. Moreover, the legal framework for the demobilization adopted since 2003 grants a *de facto* amnesty to more than 90% of the paramilitaries, leaving thousands of crimes unpunished.

Mr President,

Since the adoption of the first Chairperson Statement on Colombia in 1996, the Commission on Human Rights has examined every year the human rights situation in Colombia. In light of the above, the ICJ urges the Council to regularly monitor the situation of human rights in Colombia and debate this situation publicly, in accordance with the functions transmitted to this body by the Commission on Human Rights (under paragraph 6 of resolution 60/251 of the General Assembly) and with the Council's mandate to monitor situations of serious and systematic human rights violations (in accordance with paragraph 3 of resolution 60/251 of the General Assembly). As a result of its monitoring, based on the annual reports produced by the Office of the High Commissioner in Colombia, the Council should then make recommendations to the Colombian state to ensure compliance with its obligations under international human rights law and recommendations to all armed actors to respect international humanitarian law.