



# INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

*"Protecting and promoting human rights through the Rule of Law"*

## PRESS STATEMENT

**For immediate use – 22 March 2012**

### **The International Commission of Jurists welcomes key Human Rights Council resolution on Sri Lanka**

*Geneva, Switzerland* – The International Commission of Jurists (ICJ) welcomes the resolution of the Human Rights Council adopted today on promoting reconciliation and accountability in Sri Lanka.

The resolution urges the Government of Sri Lanka to implement the recommendations of a report issued last November by the Sri Lankan Lessons Learnt and Reconciliation Commission (LLRC), a commission of inquiry appointed by Sri Lankan President Rajapaksa in May 2010. It calls on the Government to fulfil its legal obligations to initiate credible and independent actions needed to ensure justice, equity, accountability and reconciliation for all Sri Lankans.

“The time for assurances, commitments, plans and intentions has long passed”, said Alex Conte, the ICJ’s Representative to the United Nations. “The time now is for action by the Government of Sri Lanka, and for the Human Rights Council to be actively seized of the situation”.

“The resolution is a first step in bringing the issue of accountability in Sri Lanka onto the agenda of the Human Rights Council,” Conte further said. “The goal should be to eventually establish an independent international mechanism to ensure justice and accountability for the war-time abuses in this country.”

The resolution comes almost three years after President Rajapaksa undertook to ensure accountability for violations of international humanitarian law and human rights perpetrated during the six-year conflict in Sri Lanka.

The ICJ deplores that the Sri Lankan Government has been unwilling to undertake prompt, independent and effective investigations into credible allegations of gross violations of human rights and serious violations of humanitarian law, including torture, unlawful killings and other crimes under international law.

“The lack of meaningful action by the Government of Sri Lanka is not surprising,” Conte added. “It follows a long history of using national commissions of inquiry that ineffectively address issues of accountability and reinforce the systemic and institutionalised impunity within this country’s criminal justice system.”

The UN Panel of Experts on Accountability in Sri Lanka, appointed by the UN Secretary General, reported in March 2011 there were “credible allegations, which, if proven, indicate that a wide range of serious violations of international humanitarian law and international human rights law was committed by both the Government of Sri Lanka and the Liberation Tigers of Tamil Eelam (LTTE), some of which would amount to war crimes and crimes against humanity”. This included allegations of the Government’s indiscriminate shelling, attacks on hospitals, denial of humanitarian assistance, extrajudicial executions, and enforced disappearances; and the use by the LTTE of human shields, forced recruitment and forced labour, and exposing civilians to unnecessary harm.

**For further information, please contact:**

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**NOTES TO EDITORS:**

- The resolution of the Council was adopted by 24 votes in favour, 15 against, and 8 abstentions (with Bangladesh, China, Congo, Cuba, Indonesia, Kuwait, Maldives, Mauritania, Philippines, Qatar, Russia, Saudi Arabia, Thailand and Uganda voting against; and Angola, Botswana, Burkina Faso, Djibouti, Jordan, Kyrgyzstan, Malaysia and Senegal abstaining).
- The LLRC report emphasized the importance of ensuring the Rule of Law and called for the restoration of independent constitutional commissions for the police and public service in particular, for the de-linking of the Department of the Police from the Ministry of Defence and made several recommendations in regard to ensuring media freedoms, including the enactment of a Right to Information Act.
- Composed of 60 eminent judges and lawyers from all regions of the world, the International Commission of Jurists promotes and protects human rights through the Rule of Law, by using its unique legal expertise to develop and strengthen national and international justice systems. Established in 1952 and active on the five continents, the ICJ aims to ensure the progressive development and effective implementation of international human rights and international humanitarian law; secure the realization of civil, cultural, economic, political and social rights; safeguard the separation of powers; and guarantee the independence of the judiciary and legal profession.