

**United Nations Human Rights Council  
22<sup>nd</sup> Regular Session, 25 February to 22 March 2013  
Agenda Item 4**

**ICJ Oral Statement in the General Debate under Item 4: Human rights situations that  
require the Council's attention**

**LACK OF ACCOUNTABILITY AND DETERIORATION OF HUMAN RIGHTS AND THE RULE OF  
LAW IN SRI LANKA**

11 March 2013

*Check against delivery*

Mr. President,

The International Commission of Jurists (ICJ) welcomes the draft resolution on promoting reconciliation and accountability in Sri Lanka as a follow-up to Resolution 19/2 of March 2012.

The deteriorating human rights situation in Sri Lanka is evidenced, amongst other things, by the recent removal of the Chief Justice through an impeachment process declared unconstitutional by the Supreme Court. The ICJ, along with fifty-seven senior judges from thirty countries around the world, has expressed grave concern over actions to remove the Chief Justice that are in contravention of the Constitution, international human rights law and standards, including the right to a fair hearing, and the rule of law. The independent functioning of the judiciary, and the rule of law itself, is under grave threat, not only by the impeachment but also by recent and escalating attacks against judges in Sri Lanka.

The High Commissioner's report to this Council notes the deteriorating human rights situation and also concludes that steps taken to ensure [replace with "on"] accountability remain inconclusive. Sri Lanka's Government remains in a state of denial, still claiming that the conflict in the country was resolved by a successful counter-terrorism and humanitarian operation [replace with "means"] that did the utmost to protect the human rights of all citizens. In its UPR, the Government rejected key recommendations on accountability, including on full implementation of recommendations of the Lessons Learned and Reconciliation Commission (LLRC) – see UN Doc A/HRC/22/16, paras 128.29, 128.30, 128.31 and 128.70.

Through its inaction the Government of Sri Lanka has shown that it is unwilling to comply with its international obligations to undertake prompt, independent and effective investigations into credible allegations of gross violations of international human rights law and serious violations of international humanitarian law [replace with "IHL"], including torture and ill-treatment, unlawful killings and other crimes under international law.

Impunity must not be allowed to prevail. In the face of the Government's denial and unwillingness to ensure accountability, the international community has a collective responsibility to do so itself. Not only should Council members support the follow-up to Resolution 19/2, they should push to strengthen the text to establish a Council-mandated Commission of Inquiry.

I thank you.

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