

**United Nations Human Rights Council  
25<sup>th</sup> Regular Session, 3 to 28 March 2014  
Agenda Item 2**

**ICJ Oral Statement in the discussion under Item 2 of the OHCHR report on  
promoting reconciliation and accountability in Sri Lanka**

**PROMOTING RECONCILIATION, ACCOUNTABILITY AND HUMAN RIGHTS  
IN SRI LANKA**

26 MARCH 2014

*Check against delivery*

Mr President,

The International Commission of Jurists (ICJ) welcomes the OHCHR report, as well as efforts by delegations at this session to establish an independent international inquiry into violations of human rights and international humanitarian law in Sri Lanka.

An international investigation mechanism such as a Commission of Inquiry is needed in part because the Sri Lankan justice system today simply cannot be relied upon to function as an independent and impartial institution. The judicial appointment process is subject to political interference. Judges and lawyers are subjected to threats and intimidation. Security of tenure for the judiciary is not protected by an independent, impartial and fair procedure for the removal or discipline of judges. Indeed, the highly politicized impeachment and replacement of Chief Justice Bandaranayake last year, followed by her ongoing prosecution, sent a stark message: judges that give rulings unfavourable to the government face harsh reprisals.

The need for this Council to assert itself at this time is further underscored by recent incidents of intimidation and arrests of prominent human rights defenders in Sri Lanka, including during the current session. The High Commissioner has repeatedly expressed concern about "the continuing high levels of harassment and intimidation meted out to human rights defenders, lawyers and journalists".

In such an environment, the international community, this Council in particular, cannot depend on domestic mechanisms alone to deliver reconciliation, accountability and protection for human rights.

Nearly five years after the end of the armed conflict, no one has been held accountable for gross human rights abuses and serious violations of international humanitarian law allegedly committed by both sides. The ICJ urges the Council to establish an international independent and impartial investigation mechanism to give a glimmer of hope to victims and families, that their rights under international law to truth, justice and reparation will ultimately be upheld.

I thank you.

<p>Statement delivered by: Mr Matt Pollard, ICJ Representative to the UN (<a href="mailto:matt.pollard@icj.org">matt.pollard@icj.org</a>; +41 79 246 5475) Further contacts: Ms Sheila Varadan, ICJ Asia Pacific Programme (<a href="mailto:sheila.varadan@icj.org">sheila.varadan@icj.org</a>; +66 85 720 0723)</p>
--