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Sri Lanka: Justice will not be done unless commissions of inquiry into past violations are made public

The Government of Sri Lanka should make public the reports of the three commissions of inquiry into past human rights violations, Amnesty International said as the commissions handed over their final reports to President Chandrika Bandaranaike Kumaratunga today.

“It is the government's duty to ensure that what happened to the tens of thousands of people who "disappeared" or were killed in Sri Lanka in the recent past is officially acknowledged and remembered,” the human rights organization said.

“Not publishing the reports would give those responsible for past violations the opportunity to escape the judgement of history and to avoid being held to account.”

Amnesty International also urged the President to announce within a reasonable period of time how the government will act on the commissions' recommendations for the prevention of “disappearances” in the future, including steps to be taken to bring to justice those against whom the commissions found prima facie evidence.

The Presidential commissions were set up in late 1994 and had been mandated to investigate "disappearances" reported in the country since 1 January 1988. They reportedly heard evidence in relation to 16,750 cases out of 19,079 complaints. They were, among other things, asked to report on “disappearances” and “involuntary removals” (abductions by non-state agents), to identify those responsible and recommend legal proceedings that can be taken against them, and to suggest relief to be granted and preventive measures to be taken.

Amnesty International representatives, who visited Sri Lanka last month and met with several senior government officials, said that they had been encouraged by repeated assurances that the reports were to be made public.

"Making the report public, and announcing publicly how the government intends to act on the commissions' recommendations, is of paramount importance to reinforce the rule of law in Sri Lanka and break through the lingering climate of impunity among security forces personnel,” Amnesty International said.

Taking these steps is all the more important because "disappearances" continue to be reported in large numbers, particularly from the Jaffna peninsula. Amnesty International's team visited Jaffna in mid-August and was informed of more than 600 “disappearances” in 1996 and 39 since the beginning of 1997. During the visit, the delegates met with a Board of Investigation set up by the Ministry of Defence and chaired by a civilian with a mandate to investigate these recent “disappearances”. The Board had received 760 complaints and had heard oral evidence from relatives in 368 cases. The Board's members said they were expecting to finalize their investigations by the end of the year.

Amnesty International is encouraged by these efforts to establish the fate or whereabouts of the people who “disappeared” in Jaffna. It is urging that the government at the earliest

opportunity makes public the report of the Board of Investigation and announce action taken to follow-up on its findings, including bringing to justice those found to be responsible.

"The international community is waiting to see how the government deals with human rights violations both under the previous regime and under its own term of office," Amnesty International said. "Now is the time to prove its avowed commitment to promote and protect human rights."

In a statement issued by the Presidential Secretariat today, "*special arrangements to complete the legal process necessary to prosecute the persons responsible for the disappearances*", were announced. In its letter to the President, Amnesty International highlighted the need to strengthen governmental investigative resources, particularly within the police, to ensure that successful prosecutions can be initiated in those cases in which the three commissions and the Board of Investigation found that there was enough evidence to initiate further investigations with a view to prosecute. In particular, the organization recommended that the forensic expertise available in the country be strengthened.
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