

Human Rights Council
Eighth Session
2-18 June 2008

Agenda Item 6

Amnesty International and Human Rights Watch

Oral statement on the outcome on Sri Lanka under the Universal Periodic Review

13 June 2008

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Statement on behalf of Amnesty International & Human Rights Watch

Mr. President,

We welcome the range of recommendations supported by the government of Sri Lanka during the UPR review. In particular, the commitment to investigate and prosecute all allegations of extra judicial, summary or arbitrary killings, and bring the perpetrators to justice in accordance with international standards.

Amnesty International and Human Rights Watch are alarmed that extrajudicial, summary and arbitrary killings continue, as illustrated by recent reports of five persons shot dead in the Batticaloa area in the east of the country on 22 May 2008. The Special Rapporteur on extrajudicial, summary or arbitrary executions expressed his concern in Agenda item 3 in an earlier session, that ‘the Government has relied extensively on paramilitary groups to maintain control in the East and, to a lesser extent, in Jaffna. There is evidence that these groups conduct operations with the Government forces and are responsible for extrajudicial executions’.¹ In light of this, Amnesty International and Human Rights Watch regret the government’s reluctance to accept the recommendation suggested in the UPR review to immediately address the existence of armed groups, many of which are responsible for ongoing human rights abuses.

Amnesty International and Human Rights Watch welcome the government’s commitment to cooperate actively with international mechanisms (Point 4) and to cooperate with the Special Procedures. Given that a pattern of disappearances continues and, as the Working Group on Involuntary and Enforced Disappearances noted in a press statement of 11 June, disappearances increased in the month of May, we urge the government of Sri Lanka to facilitate and agree a date for the visit of the Working Group on Involuntary and Enforced Disappearances without delay. Many disappearances are not being reported due to fear of reprisals.

¹ Report of Special Rapporteur on extrajudicial, summary or arbitrary executions, Phillip Alston, A/HRC 8/3/Add.3, point 48.

Given the deteriorating human rights situation in Sri Lanka Amnesty International and Human Rights Watch are deeply disappointed to note that Sri Lanka has been unable to support the recommendation made by at least 10 states to establish an independent human rights monitoring mechanism, in cooperation with the High Commissioner for Human Rights. Such a monitoring mechanism, to be deployed in both government and LTTE controlled areas, is important given the lack of credibility of domestic mechanisms that are unable to adequately address the escalating human rights violations of the ground.² In December 2007, the Human Rights Commission of Sri Lanka (HRCSL) was downgraded from A to B status by the International Coordination Committee of National Institutions for the Promotion and Protection of Human Rights, indicating that it is not fully in compliance with the Paris Principles.³ The International Coordination Committee downgraded the accreditation of the HRCSL on two grounds: first, because of concerns in relation to the appointment of its commissioners and secondly, because it had publicly expressed its inability to investigate disappearances. Amnesty International and Human Rights Watch are further concerned that the HRCSL no longer engages in regular public reporting.

Finally Amnesty International welcomes recommendation 17 that the government will increase its efforts to further prevent cases of kidnapping, forced disappearances and extrajudicial killings and ensure that all perpetrators are brought to justice. Despite serious abuses by both the security forces, as well as armed groups, few perpetrators have been prosecuted. The current climate of impunity must end and, in this regard Amnesty International and Human Rights Watch welcome the government's voluntary commitment to continue its active and constructive dialogue with the Office of the High Commissioner for Human Rights to strengthen national mechanisms in all aspects.

Thank you, Mr President.

MORE INFORMATION

- See a representative from Amnesty International deliver this statement at the Human Rights Council. Watch the video on:
<rtsp://webcast.un.org/ondemand/conferences/unhrc/eighth/hrc080613am1-eng.rm?start=00:27:21&end=00:29:28>
(UN webcast - www.un.org)
- This oral statement is based on a written statement prepared by Amnesty International to the 8th session of the Human Rights Council. See the statement at: <http://www.amnesty.org/en/library/info/ASA37/023/2008/en>

² Report of the Working Group on the Universal Periodic Review, A/HRC/8/46

³ Principles relating to the status and functioning of national institutions for protection and promotion of human rights, adopted by the General Assembly in resolution 48/134 on 20 December 1993.