

AMNESTY INTERNATIONAL

ESRI LANKA

@COMMISSION OF INQUIRY ANNOUNCED TO INVESTIGATE NEW CASES OF "DISAPPEARANCE"

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President Ranasinghe Premadasa has appointed a Presidential Commission to inquire into reported cases of "disappearance" which occur from 11 January 1991. The three-member Commission is chaired by a retired Judge of the Supreme Court of Sri Lanka, and its two other members are a retired Judge of the Court of Appeal and an Attorney-at-Law. According to a statement published in a Colombo newspaper (Daily News, 12 January 1991), the Commission is empowered to:

- inquire into complaints of "disappearances" which take place after 11 January 1991;
- attempt to find out the whereabouts of the missing persons;
- find the identity of the persons or groups responsible for enforced or involuntary disappearances;
- establish whether such illegal acts take place because of deficiencies in the present laws relating to law enforcement;
- recommend the steps according to law to be taken against offenders, and the remedial steps necessary to prevent the future occurrence of "disappearances".

Full details of the terms of reference and working methods of the Commission have not yet been published, and Amnesty International is seeking this information from the government. Amnesty International notes immediately, however, that the Commission does not appear to be empowered to recommend the steps to be taken to compensate victims or their relatives.

Amnesty International welcomes the creation of an independent body to investigate those "disappearances" committed after 11 January 1991, believing that the full, impartial investigation of alleged human rights violations can play an important part in preventing future abuse, provided that the working methods and terms of reference of the Commission will enable it to function effectively.

On 7 December 1990 Amnesty International had renewed its call for the Sri Lanka Government to set up independent commissions of inquiry into extrajudicial executions and "disappearances", and set out minimum criteria for any independent commission of inquiry

investigating past abuse (see ASA 37/WU 05/90). The Commission of Inquiry into "disappearances" occurring after 11 January 1991 which has now been announced will clearly

not fulfil Amnesty International's recommendation that the tens of thousands of "disappearances" which have taken place in Sri Lanka in recent years be fully and impartially investigated. The organization nevertheless hopes that the present Commission will help prevent further "disappearances" from taking place.

INTERNAL (for AI members only)

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COUNTRY: SRI LANKA

SUBJECT TITLE: Commission of Inquiry Announced to Investigate
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RECOMMENDED ACTIONS

Please ensure that all relevant people in the section have received copies for their attention, and that the document is centrally filed for future reference. In addition please undertake as many of the following recommended actions as possible.

1. Sections and Sri Lanka coordinators are asked to bring this document to the attention of people making inquiries about AI's concerns in Sri Lanka. A copy of Sri Lanka: Amnesty International Renews Call for Inquiries into Human Rights Abuses of December 1990 (AI Index: ASA 37/WU 05/90) may be attached.

2. Sri Lanka coordinators are asked to send a copy of this document to the representative of Sri Lanka in their country.

3. Persons responsible for lobbying in the section who have contacted their home government in preparation for the United Nations Human Rights Commission session of February - March 1991 may also wish to make it available to their home government.

DISTRIBUTION BY THE IS

This document has been sent direct by the IS to:

- Sri Lanka coordinators