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Amnesty International welcomes establishment of Sri Lanka war crimes investigation by UN Office of the High Commissioner for Human Rights

The UN High Commissioner for Human Rights Navi Pillay has announced that three experts with long and distinguished careers in human rights – Mr Martti Ahtisaari, Ms Silvia Cartwright and Ms Asma Jahangir – will assist a UN team investigating war crimes and other crimes under international law committed in Sri Lanka. Their appointment is a welcome sign of progress in the effort to establish once and for all what happened in the final phase of Sri Lanka's decades'-long armed conflict and to ensure justice, truth and reparation for victims.

The investigation is a critically important step towards breaking the cycle of impunity that fuels ongoing and serious human rights violations in Sri Lanka, including attacks on individuals speaking out against abuses and demanding accountability.

Amnesty International reiterates its call on Sri Lankan authorities to cooperate fully with the investigation and urges the UN and the international community to provide the Office of the High Commissioner for Human Rights (OHCHR) with the necessary material and political support to make its investigation as robust and far-reaching as possible, including by ensuring effective protection of witnesses.

In particular, the investigation should pick up where the Secretary General's Panel of Experts on Accountability in Sri Lanka left off in March 2011, when it found credible allegations which, if proven, "would amount to war crimes and crimes against humanity." The current investigation should deepen that inquiry and strive to identify all those suspected of individual criminal responsibility for the crimes, including commanders and other superiors.

According to credible eyewitness testimony and substantial bodies of evidence already collected by Amnesty International, UN bodies and other non-governmental organizations, both sides to the conflict, the Sri Lankan army and the Liberation Tigers of Tamil Eelam (LTTE), committed war crimes and other crimes under international law during the period under investigation, including willful killings and enforced disappearance.

The LTTE used civilians as human shields and conscripted child soldiers; the Sri Lankan army shelled areas it knew were densely populated by civilians and people trapped by fighting suffered severe deprivation of food, water and medical care. When the conflict ended hundreds of thousands of people were arbitrarily detained in closed displacement camps under military guard – those suspected of links to the LTTE were detained separately and many were tortured; some disappeared. Families continue to demand information from the Sri Lankan authorities about the whereabouts of relatives they say they saw being taken into the army's custody. People advocating accountability for enforced disappearances have been harassed, threatened and arrested.

In March 2014, the UN Human Rights Council adopted a resolution 'Promoting Reconciliation, Accountability and Human Rights in Sri Lanka' mandating OHCHR to undertake a comprehensive investigation into serious violations and abuses of human rights and related crimes by both parties in Sri Lanka during the period covered by Sri Lanka's Lessons Learnt and Reconciliation Commission (LLRC), a body appointed by Sri Lanka's President Rajapaksa to examine the last years of the armed conflict. The LLRC was not effective in addressing impunity in Sri Lanka, but did it raise a number of important human rights concerns.

A comprehensive investigation of these very serious allegations is essential. Victims in Sri Lanka have bravely shared testimony and have high expectations that the inquiry will galvanise the international community to take action. Violations this severe cannot be allowed to go uninvestigated and unpunished.