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Sri Lanka: Asian States Must Reconsider Their Stand on International Human Rights Protection

(Bangkok, 25 March 2013) - The Asian Forum for Human Rights and Development (FORUM-ASIA), a regional human rights group with 47 member organisations from 16 countries across Asia, welcomes the adoption of the UN Human Rights Council (Council) resolution on “Promoting reconciliation and accountability in Sri Lanka” (A/HRC/22/L.1), with 25 out of the 47 member States voting in favour, 13 voting against and 8 abstentions.

The resolution welcomed the report of the OHCHR, and built on last year’s resolution by encouraging the Government of Sri Lanka to strengthen and implement their reconciliation process, and to conduct an independent and credible investigation into allegations of violations of international human rights and humanitarian law. The resolution also keeps the human rights situation in Sri Lanka on the Council’s official agenda in the coming sessions.

“This follow up resolution comes at a time when democratic space for civil society and dissenting voices are shrinking, and the civil administration is systematically being dismantled by militarisation. Meanwhile, the human rights situation in the war-affected areas continues to be overlooked in favour of large-scale development initiatives operated by the military”, stressed Ms. Mala Liyanage, Executive Director of the Law and Society Trust (LST), a human rights NGO based in Colombo. “It is our sincere call to the government of Sri Lanka to take a more genuine and comprehensive approach in implementing the recommendations of the LLRC in order to strengthen the domestic reconciliation process. We urge the entire international community to remain committed to this end”, she added.

Out of the thirteen Asian States taking part in the process, India and the Republic of Korea were the only two countries from the region voicing their support and voting in favour of the resolution. Despite expressions by Indonesia, Thailand and the Maldives regarding the gaps in accountability in Sri Lanka, they joined the majority of Asian member States in voting against the resolution, along with Philippines, Kuwait, Qatar, United Arab Emirates and Pakistan, many of which expressed their opposition to country-specific resolutions.

“It is regrettable that a significant number of Asian States refuse to engage with the international protection mechanisms. India despite voting in favour of the resolution did not make public its position on the draft resolution until the final moment. Nonetheless, India’s explanation of its vote presented a well-reasoned articulation of why the lack of genuine progress in Sri Lanka towards reconciliation is a matter of concern for the international community and to India more specifically”, said Mr. Henri Tiphagne, noted human rights activist from India and the Chairperson of FORUM-ASIA.

“It is time to re-examine the stand and attitude of Asian States in addressing gross and systematic human rights violations by ensuring that their so-called cooperative approach to human rights protection puts victims at the very centre. Thailand and Indonesia’s vote against the resolution, based on their assertion that a country-specific resolution is against the spirit of cooperation, will only further entrench impunity in the country. It is notable that Malaysia abstained, however with no explanation of the vote it remains difficult to judge how principled this position has been,” expressed Ms. Giyoun Kim, Acting Executive Director of FORUM-ASIA. “We urge all Asian States to look upon this resolution as a positive precedent and seize the opportunity to pledge their support to strengthening human rights protection throughout the region”, she concluded.

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