25th Regular Session of the UN Human Rights Council

Item 2: Annual Report of the UN High Commissioner for Human Rights and Reports of the OHCHR and the Secretary-General (OHCHR Report on Sri Lanka) - General Debate

Oral Statement Delivered by R. Iniyan Ilango on Behalf of Asian Forum for Human Rights and Development (FORUM-ASIA)

Wednesday, 26 March 2014

Mr. President, FORUM-ASIA welcomes the report of the Office of the High Commissioner for Human Rights (OHCHR) on promoting reconciliation and accountability in Sri Lanka. We reiterate our call for an independent, international investigation into alleged violations of international humanitarian law and human rights law in Sri Lanka, and strongly support OHCHR’s recommendation for an international mechanism to look into such allegations.

Actual implementation on the ground is the true indicator of cooperation with the Council. We fear that this is absent in Sri Lanka. Despite the Council’s calls in resolution 22/1 last year, OHCHR’s report shows that: the North and East of the country remain heavily militarised; human rights defenders continue to face intimidation and harassment; freedoms of expression and peaceful assembly remain under threat; extrajudicial killings and disappearances have not been adequately investigated; and the independence of the judiciary and other state institutions remains heavily compromised.

Mr. President, we are gravely concerned at ongoing human rights violations in Sri Lanka, and thank OHCHR’s report for including this concern. Violations further intensified even as this Council session commenced. On 13 March, Balendran Jayakumari and her 13-year-old daughter were taken into custody. Both have prominently advocated against disappearances and were visible during the High Commissioner’s visit to the country. On 16 March, well-known human rights defenders Ruki Fernando and Father Praveen Mahesan, who attempted to inquire into the incident and its context, were detained and interrogated. Though they were released unconditionally on 19 March, orders were subsequently issued to: restrict their freedoms of expression and movement; and confiscate their personal data. Meanwhile, Balendran Jayakumari still remains in detention. Following this, more incidents of surveillance, threats and harassment have reportedly occurred, further intensifying the prevailing climate of fear and intimidation. This has had a chilling effect on defenders engaging with the Council and appears to be a warning of reprisals to come. In the absence of robust and decisive measures by the Council we fear that the situation will only deteriorate further.

Finally Mr. President, FORUM-ASIA underlines the call made in the open letter to the Council dated 19 March by civil society organisations based in the three continents of the global South emphasising that any international investigation on Sri Lanka should be clearly mandated to establish accountability for alleged violations.

Thank You Mr. President

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