

Eminent International Citizens Call for International Judicial Process for War Crimes in Sri Lanka

Open letter to the members of the United Nations Human Rights Council

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In an open letter to the members of the United Nations Human Rights Council, more than 60 eminent citizens from around the world are calling for an international judicial process for war crimes and crimes against humanity in Sri Lanka. The Human Rights Council meets this week to consider the report of the High Commissioner's investigation into the war crimes, particularly those in the last few weeks of Sri Lanka's civil war. The UN deliberations will take place amid shifting positions of countries like the United States who are reported as supporting the new Sri Lankan government in conducting its own domestic probe into the alleged war crimes.

The open letter outlines the key new developments and issues that need to be considered by member states as they consider how best they can contribute to a process of truth, justice, and accountability that can bring peace and reconciliation to Sri Lanka.

It has been six years since the end of the war in Sri Lanka. The last few months of the war marked some of the worst massacres and war crimes of this century. In January 2009, the government of Sri Lanka launched its final offensive against the Liberation Tigers of Tamil Eelam, or Tamil Tigers. Two weeks into the final assault, the government declared the first "No Fire Zone" and encouraged hundreds of thousands of Tamil civilians to gather there for their own safety. The government then launched a deadly, sustained, and deliberate shelling campaign on this and subsequent "No Fire Zones." One UN report estimated that as many as 40,000 died in just a few weeks, most killed by government shelling. A more recent UN report suggested the death toll could be 70,000 or more.

In January this year, President Rajapaksa was voted out in favor of an alliance headed by President Rajapaksa's former minister, Maithripala Sirisena. While this led to some welcome reforms, including curbs on the powers of the executive office, increased press freedom, and a drive against corruption and nepotism, it did not curb the power of the military or result in any significant changes in the conditions faced by the Tamils in the North and East.

Whichever government is in charge, whatever the political developments, the need for truth and justice for all in Sri Lanka remains unchanged and undiminished. The victims and survivors are looking to the international community – and in particular to the members of the Human Rights Council – to deliver on what is seen as the promise made by setting up the International Inquiry (OISL).

In April this year, Pablo de Greiff, the UN Special Rapporteur on the promotion of truth, justice, reparation, and guarantees of non-recurrence, returned from his visit to Sri Lanka and outlined some important conditions for any transitional justice program for the country. He said: "Citizens cannot be simply presented with "solutions" in the design of which they were given no role...transitional justice

measures depend, to a large extent, on the willingness of victims and others to participate.”

That is why more than 60 eminent citizens from a range of nations and different political traditions have signed this letter calling on the Council to show courage and consistency when it discusses the OISL report – and considers how best to move on to ensuring true justice. The letter reminds the world that just as it was necessary to set up an international inquiry, so it is now necessary to move on to an internationally mandated judicial process. As people concerned with human rights and the need to respect international humanitarian law, their letter reminds the HRC’s member states why, with the best will in the world, a purely domestic process in Sri Lanka – run by the government that won the war – would inevitably be a “victors court” and would fail to have that fundamental element: the confidence of the victims.

To read the letter, [click here](#).

To learn more, read [The Long Shadow of War and I Speak without Fear: Where Are Our Loved Ones Who Have Been Abducted, Arrested, and Disappeared?](#)

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