

# OHCHR's Report on Sri Lanka for the 57th UNHRC Session

*Tamils trust that HRC members will pass another two-year resolution at this 57th session and to continue and strengthen the current work of OSLAP ...*

WASHINGTON, MD, UNITED STATES,  
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EINPresswire.com/ -- The Tamil Diaspora organizations, listed below, sincerely thank the Office of the High Commissioner for Human Rights (OHCHR) for their comprehensive report on the situation of human rights in Sri Lanka (A/HRC/57/19) prepared for the UN Human Rights Council (HRC) for their 57th session as mandated by 2022's Resolution 51/1 and released on August 22, 2024.



Mullivaikkal war crimes

The Tamil Diaspora organizations trust HRC members to pass another two-year resolution at this 57th session of the HRC to continue and strengthen the current work of OSLAP and to urgently move the process of accountability to the international criminal justice mechanism, as per the recommendations in the above report.

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..members of the State apparatus ..implicated in the grave crimes and human rights violations remain in place, preventing ..progress in terms of accountability and perpetuating human rights violations”

OHCHR

In compiling the current "Advance Report," OHCHR has dutifully engaged with all relevant stakeholders in Sri Lanka as it has done in the past. These include the Government of Sri Lanka, the Human Rights Commission of Sri Lanka (HRCSL), and a range of civil society stakeholders both inside and outside the island. An OHCHR delegation visited

Sri Lanka for further consultations in June 2024, and in February 2023, Sri Lanka underwent its fourth cycle of Universal Periodic Review (UPR).

This is, and has been, the steadfast and unfaltering pattern of OHCHR/HRC engagement with Sri

Lanka for the past 15 years and more, all to no avail as it relates to any iota of implementation by Sri Lanka of the mandates of HRC resolutions or recommendations from the OHCHR.

The entirety of the "Advance Report" in its painstaking details documents the lack of not only implementation, but also lays bare Sri Lanka's glaringly evident willful refusal to take action on entrenched impunity for human rights abuses.

The reasons are aptly stated in the following statement among others in the Report: "Failure of the Sri Lankan State to specifically recognize victims' suffering, to acknowledge the military and other security forces' role in the commission of gross human rights violations, and to address violations committed in the past and present, has been a key obstacle to the rule of law, democracy, and good governance. Many of the structures and some of the members of the State apparatus credibly implicated in the grave crimes and human rights violations remain in place, preventing meaningful progress in terms of accountability and perpetuating human rights violations. As noted in the report to the 51st Human Rights Council session, entrenched impunity has also been manifested in the corruption and abuse of power that contributed to the economic crisis and drove the popular protests in 2022."

Notwithstanding all of the above, the Report continues to advocate two sets of recommendations for accountability for gross human rights violations, namely, one for Sri Lanka, and the other for the international community. "Sri Lanka has used the default assumption that the state – which itself committed the vast majority of abuses – must provide justice to sideline the recommendations given to the international community and their furtherance". In fact, Sri Lanka's foreign minister Mr. Ali Sabry PC MP assured the Sri Lankan parliament on 4th of September that "the proposed Truth, Unity, and Reconciliation Commission (TURC) is none other than a domestic mechanism to ward off foreign interference in alleged war crimes, and confirm continued impunity granted over the years."

Therefore, it is fervently hoped that the members of the HRC will take immediate action on the recommendations of their Report, namely:

- (a) Cooperate in investigating and prosecuting alleged perpetrators of international crimes committed by all parties in Sri Lanka through judicial proceedings in national jurisdictions, including under accepted principles of extraterritorial or universal jurisdiction, through relevant international networks and mutual legal assistance processes, and in cooperation with survivors, families, and their representatives.
- (b) Consider using other international legal options to advance accountability in Sri Lanka.
- (c) Explore, as part of a wider range of accountability measures and consistent with international law, further targeted sanctions such as asset freezes and travel bans against individuals credibly alleged to have perpetrated gross international human rights violations or serious humanitarian law violations.
- (d) Review asylum measures with respect to Sri Lankan nationals to protect those facing reprisals and refrain from any refoulement in cases that present a real risk of torture or other serious human rights violations; and

(e) Support OHCHR to continue its monitoring and reporting and its strengthened work on accountability for human rights violations and related crimes in Sri Lanka.

The Tamil Diaspora organizations trust HRC member states and others to utilize the 'other international legal options' noted in (b) above. The OHCHR report notes the importance of the International Criminal Court and the International Court of Justice. If paths to these forums of international justice for gross human rights abuses are unavailable, special criminal courts have been used successfully in the past.

Furthermore it is envisaged that HRC member states and others will work with the OHCHR's Sri Lanka Accountability Project (OSLAP) to proceed rapidly towards actual legal cases and other forms of accountability using the evidence and expertise OSLAP has been diligently collecting over the past few years.

International law has been one of the accomplishments of the past few decades. Impunity for gross violations of those laws, including the war crimes, crimes against humanity and genocide committed by the Sri Lankan state primarily against the Tamils, encourages others to ignore the law and leads to its irrelevance. Immediate action to maintain a rule-based international order is what is needed.

For more information, please contact:

Organizations which endorse this Press Release:

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