

British Tamils Forum United Kingdom

Saturday, 30 January 2016

FOR IMMEDIATE RELEASE

Sri Lanka must fulfil commitments under UNHRC resolution – reneging on international involvement is unacceptable- British Tamils Forum

British Tamils Forum (BTF) joins other Tamil diaspora groups, Sri Lankan civil society and international NGOs in expressing serious concern with and alarm at recent statements by the Sri Lankan Government reneging on their commitments under UNHRC Resolution 30/1, which they co-sponsored in September 2015.

Over the past two weeks, Sri Lankan President, Maithripala Sirisena, has made several statements to the media expressly rejecting inclusion of foreign involvement in accountability mechanisms for mass atrocities committed during the armed conflict. These statements fly directly in the face of the UNHRC resolution, which called for the participation of “Commonwealth and other foreign judges, defence lawyers and authorized prosecutors and investigators.”

For instance, when asked about the Sri Lankan government’s efforts in implementing a United Nations Human Rights Council (UNHRC) resolution on accountability, Sirisena told Frontline Magazine:

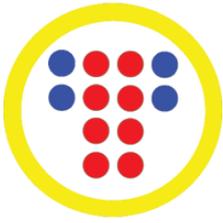
I have held meetings with representatives and leaders of all parties, apart from ascertaining the views of experts... There is no reason for allowing the participation of foreign experts as we have sufficient judges and our judiciary is strong and independent enough to handle issues like these [concerning accountability]. Foreign experts can share their experience with us, but we will be handling [the mechanisms] on our own.

He went on to add: “We have not been ordered [by the UNHRC] to do anything. We are proceeding step by step towards implementation.”

These comments followed an interview he gave to BBC Sinhala, in which the president stated he “will never agree to international involvement on this matter” and “the international community need not worry about matters of state interest.” During this interview, President Sirisena also rejected findings of on-going torture reported by two international NGOs in recent weeks.

The President has not been alone in declaring a stance against foreign involvement in Sri Lanka’s accountability processes. In a statement to parliament on Thursday, January 28, 2016, Prime Minister Ranil Wickremasinghe said: We will never accept an international war crimes tribunal. I never approved the Rome Statute. Sovereignty lies with the people according to our Constitution. Our Supreme Court is one of the oldest in the world.

Our Constitution has specified how the members of the Supreme Court are appointed. Judges have to be Sri Lankans. We cannot go against that provision. Those who come to the Court under the provisions of the Constitution should accept the ruling of the court. If foreigners come to appear for some others they should first obtain the permission from the Supreme Court. If the court permits them we cannot do anything about it. Giving them permission is not our task.



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It is important to recognize that these statements come at a time when Tamil victims and communities continue to have little to no confidence in the Sri Lankan government's political will due to the government's failure to address critical on-going human rights issues including the military occupation of the North-East, reports of on-going torture, continued illegal land acquisition, and the detention of political prisoners. The stance against international involvement espoused by the President and Prime Minister will only serve to further undermine the confidence of Tamil victims and communities, and is completely unacceptable in light of the UNHRC resolution they co-sponsored. Significant and meaningful international involvement is a pre-requisite for any accountability and justice mechanism to be credible in the eyes of victims and war-affected communities in Sri Lanka.

BTF joins other stakeholders in calling on the Sri Lankan government to release a clear and detailed plan of how it plans to implement the GoSI co-sponsored UNHRC resolution as soon as possible, and at minimum, before the start of the March session at the Human Rights Council. This is not to encourage the Sri Lankan government to develop hastily drawn up measures but rather to provide a concrete timeline of implementation steps. The development of any accountability and justice mechanism requires meaningful consultations with victims and war-affected communities in and out of the Island, which the Sri Lankan government has still not commenced.

BTF also calls on the United Nations High Commissioner for Human Rights to impress upon the Sri Lankan government its commitments under the resolution during his upcoming visit in February. We request that the High Commissioner explore the possibility of establishing a field monitoring office in the North-East of Sri Lanka to monitor and facilitate implementation of the resolution.

Finally, BTF urges the international community and in particular, the countries that signed on to the UNHRC resolution, to continue to remind Sri Lanka of its commitments under the UNHRC resolution and work towards ensuring their fulfilment.

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Contact: S.Sangeeth Tel: +44 (0) 7412435697

Email: media@tamilsforum.com

Notes to Editors:

British Tamils Forum exists to harness the skills and the knowledge of the members of the forum, well-wishers and significant others including mainstream decision makers in the UK with the aim of alleviating the sufferings of the Tamils community in the Island of Sri Lanka and to further their right to self determination within a democratic frame work under pinned by international law, its covenants and conventions. For more information

admin@tamilsforum.com and/or visit: www.tamilsforum.com