



Franciscans International, Pax Romana and Dominicans for Justice and Peace
Oral Statement
Eleventh Special Session of the Human Rights Council addressing
"The Human Rights Situation in Sri Lanka"

Geneva, 26 May 2009

Thank you Mr. President,

This is a joint statement by Franciscans International, Pax Romana and Dominicans for Justice and Peace (Order of Preachers).

The fighting between the Sri Lankan Armed Forces and the Liberation Tigers of Tamil Eelam (LTTE) has led to the death of more than 6,400 civilians, 13,000 wounded, and more than 230,000 displaced since January 2009¹. These are only estimates, as no independent monitor—including humanitarian organizations, journalists and human rights defenders—has been allowed into the conflict-affected areas.

IDPs affected by the conflict continue to suffer; the infringement of their rights to food, water, health and freedom of movement will continue to be a major problem due to the dire conditions inside government camps. However, in addition to the extreme conditions faced by these civilians, the conditions of those working for human rights inside and outside the conflict zone serves as a good example of why this Council must act strongly today.

Human rights defenders have been constantly harassed and intimidated; journalists have been in detention for months for simply voicing their critical opinions of the conflict. Three medical doctors, instrumental in assisting thousands of civilians trapped in the "no-fire

¹ UNHCR Briefing Notes, 20 May 2009

zone” over the last few months, were detained and are being held incommunicado. They should not be penalized or charged for their testimonies about the suffering of civilians given to those outside the conflict zone, and the urgent appeals they made for medical supplies. The government is urged to take prompt steps to ensure that the guarantees of their human rights shall be applied.

Mr. President, the Human Rights Council is mandated to address the impact of armed conflicts on the human rights of the civilian population through Resolution 9/9. In Sri Lanka, violations of human rights and humanitarian law have taken place for a number of years, and have increased as the conflict intensified in the last months.

Whilst welcoming a Special Session on the human rights situation in Sri Lanka, we regret the Council’s lack of prompt action when the situation in the Vanni—(where hundreds of thousands of civilians were trapped inside the conflict zone, and thousands were injured and killed from shelling and the use of heavy weaponry by both parties)—required it most. The Council should systematically address all grave human rights violations of the civilian population in armed conflicts, without any distinctions.

Nevertheless, we believe that much remains to be discussed if Sri Lanka’s human rights situation is to be properly addressed. Sri Lanka will not be able to move forward in its reconstruction and reconciliation processes if the human rights violations committed against its population, particularly those who have borne the brunt of the conflict, are not redressed and promptly investigated.

We urge the Human Rights Council to:

Ensure it takes all measures to set up and facilitate the work of mechanisms that should be established to address gross human rights violations in Sri Lanka, including:

1. Urging the Government of Sri Lanka to set up an Independent Commission of Inquiry to investigate all allegations of gross violations of human rights inside and outside the conflict zone and war crimes;
2. Urging the Government of Sri Lanka to give immediate access to humanitarian and human rights organizations and journalist to the former conflict zones to provide a critical oversight of the situation in a transparent manner;
2. Dispatching a high-level fact finding mission to Sri Lanka with independent access to all former conflict zones and displacement camps;
3. Setting-up an OHCHR field office to support the effective monitoring and implementation of Sri Lanka’s human rights commitments;
4. Ensuring the implementation of the outcomes and Resolutions adopted at the 11th Special Session are subsequently reported to the regular sessions of the Human Rights Council, including the 12th.

Thank you, Mr. President.