



20 Mar, 2013 - WASHINGTON: The US-sponsored draft resolution before the ongoing session of the UN Human Rights Commission in (UNHRC) "calls" the Sri Lankan government to conduct an "independent and credible" investigation into allegations of human rights violations. The draft resolution - a copy of which has been obtained by PTI - has not ceded to demands of human rights bodies for an independent international investigation, as being called by the Office of the UN High Commissioner for Human Rights in its report. Welcoming the announcement by the Lankan government to hold elections to the Provincial Council in the Northern Province in September 2013, the draft resolution now calls upon Colombo to fulfill its public commitments, including on the devolution of political authority. A previous version of the draft resolution had expressed concern over the "failure" of the Sri Lanka to fulfill its commitment on devolution of power. The draft resolution, currently under circulation, also welcomes and acknowledge the progress made by the Lankan government in rebuilding infrastructure, demining, resettling the majority of internally displaced persons. At the same time it takes note of the considerable work that lie ahead in the areas of justice, reconciliation and resumption of livelihoods, and stresses the importance of the full participation of local populations, including representatives of civil society and minorities, in these efforts.

The draft resolution now encourages (not urges as in the previous version) the Sri Lanka to implement the recommendations made in the report of the Office of the High Commissioner, and also "calls upon" the Sri Lankan Government to "conduct an independent and credible investigation" into allegations of violations of international human rights law and international humanitarian law.

It also reiterates its call upon Sri Lanka to "implement effectively the constructive recommendations" made in the report of the Lessons Learnt and Reconciliation Commission (LLRC), and to take all necessary additional steps to fulfill its relevant legal obligations and commitment to initiate credible and independent actions to ensure justice, equity and accountability, and reconciliation for all Sri Lankans.

Instead of urging, as in the previous version, the latest draft resolution encourages Sri Lanka to

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cooperate with special procedures mandate holders and to respond formally to their outstanding requests, including by extending invitations and providing access.

The draft resolution "recalls" the constructive recommendations of LLRC report, including the need to credibly investigate widespread allegations of extrajudicial killings and enforced disappearances, demilitarise the north of Sri Lanka, implement impartial land dispute resolution mechanisms, re-evaluate detention policies, strengthen formerly independent civil institutions, reach a political settlement on the devolution of power to the provinces, promote and protect the right of freedom of expression for all and enact rule of law reforms.

The draft resolution notes that the National Plan of Action and the Commission's report do not adequately address serious allegations of violations of international human rights law and international humanitarian law.

It also expresses concern at the continuing reports of violations of human rights in Sri Lanka, including enforced disappearances, extrajudicial killings, torture, and violations of the rights to freedom of expression, association and peaceful assembly, as well as intimidation of and reprisals against human rights defenders, members of civil society and journalists, threats to judicial independence and the rule of law, and discrimination on the basis of religion or belief.

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