

Draft resolution HRC 22

Promoting Reconciliation and Accountability in Sri Lanka

The Human Rights Council,

PP1 Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant instruments, (PP1 19/2)

***PP2 Recalling* Human Rights Council Resolution 19/2 on Promoting Reconciliation and Accountability in Sri Lanka,**

***PP3 Reaffirming* that it is the responsibility of the Government of Sri Lanka to ensure the full enjoyment of all human rights and fundamental freedoms of its entire population,**

PP4 Reaffirming that States must ensure that any measure taken to combat terrorism complies with their obligations under international law, in particular international human rights, refugee and humanitarian law, as applicable, (PP3 19/2)

***PP5 Taking note* of the Government of Sri Lanka's National Plan of Action to Implement the Recommendations of the Lessons Learnt and Reconciliation Commission (LLRC) and its commitments as set forth in response to the findings and recommendations of the LLRC,**

***PP6 Noting with concern* that the National Plan of Action does not adequately address all of the findings and constructive recommendations of the LLRC,**

***PP7 Recalling* the constructive recommendations contained in the LLRC's report, including the need to credibly investigate widespread allegations of extra-judicial killings and enforced disappearances, demilitarize 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, (PP5 19/2, modified)**

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PP8 Also noting with concern that the **National Plan of Action** and the **LLRC's** report **do not** adequately address serious allegations of violations of international law, (PP6 19/2, modified)

PP9 Expressing concern at the continuing reports of violations of human rights in Sri Lanka, including enforced disappearances, extra-judicial killings, torture, 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, and threats to judicial independence and the rule of law,

PP10 Also noting with concern the failure by the Government of Sri Lanka to fulfill its public commitments, including on devolution of political authority, which is integral to reconciliation and the full enjoyment of human rights by all members of its population,

PP11 Expressing appreciation for the Government of Sri Lanka's efforts in facilitating the visit of a technical mission from the Office of the United Nations High Commissioner for Human Rights (OHCHR), and *encouraging* the Government of Sri Lanka to increase its dialogue and cooperation with the OHCHR,

1. *Welcomes* the Report of the OHCHR on advice and technical assistance for the Government of Sri Lanka on promoting reconciliation and accountability in Sri Lanka and the recommendations and conclusions contained therein, in particular on the establishment of a truth-seeking mechanism as an integral part of a more comprehensive and inclusive approach to transitional justice; and *notes* the High Commissioner's call for an independent and credible international investigation into alleged violations of international human rights law and international humanitarian law;
2. *Urges* the Government of Sri Lanka to implement the recommendations in the OHCHR report;
3. *Reiterates* its call upon the Government of Sri Lanka to **expeditiously and effectively** implement the constructive recommendations made in the **LLRC** report and to take all necessary additional steps to fulfill its relevant legal obligations and commitment to initiate credible and independent actions to

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ensure justice, equity, accountability, **including investigations of violations of international law**, and reconciliation for all Sri Lankans; (OP1 19/2, modified)

4. *Urges* the Government of Sri Lanka to cooperate with special procedures mandate holders and formally respond to outstanding requests, including by providing unfettered access to the Special Rapporteurs on independence of judges and lawyers; human rights defenders; freedom of expression; freedom of association and assembly; extrajudicial, summary or arbitrary executions; minority issues; and the Working Group on enforced or involuntary disappearances; and discrimination against women;
5. *Encourages* the OHCHR and relevant special procedures mandate holders to provide, in consultation with, and with the concurrence of, the Government of Sri Lanka, advice and technical assistance on implementing the above-mentioned steps; (OP3 19/2, modified)
6. *Requests* the OHCHR, with input from relevant special procedures mandate holders, as appropriate, to present an interim report at the twenty-fourth session and a report in an interactive dialogue at the twenty-fifth session of the Human Rights Council, on the implementation of the resolution.