
46th session of the Human Rights Council

*Report of OHCHR on promoting reconciliation,
accountability and human rights in Sri Lanka
(A/HRC/46/20)*

*Statement by Michelle Bachelet, UN High Commissioner
for Human Rights*

24 February 2021

Madam President,

This is a key juncture for the Council's engagement with Sri Lanka. As my report (A/HRC/46/20) indicates, nearly 12 years after the end of the armed conflict, domestic initiatives have repeatedly failed to ensure justice for victims and promote reconciliation. Despite commitments made in 2015, the current Government, like its predecessor, has failed to pursue genuine truth-seeking or accountability processes.

The impact on thousands of survivors, from all communities, is devastating. Moreover, the systems, structures, policies and personnel that gave rise to such grave violations in the past remain – and have recently been reinforced.

Addressing grievances and redressing past violations are critical prevention tools at the core of the Council's work. Our report highlights disturbing trends over the past year, which warn of a serious deterioration in key areas.

The space for civil society and independent media, which had grown significantly, is now rapidly shrinking.

The independence of the judiciary, the Human Rights Commission of Sri Lanka, the National Police Commission and other key bodies has been deeply eroded by the recently adopted 20th Constitutional Amendment.

The growing militarisation of key civilian functions is encroaching on democratic governance. The continued failure to implement comprehensive reforms – or to vet personnel –

leaves in place security and military officers who have been implicated in alleged grave crimes and violations.

Tamil and Muslim minorities are being excluded by divisive and discriminatory rhetoric including from the highest State officials.

The policy of forced cremation of COVID-19 victims has caused pain and distress to the minority Muslim and Christian communities.

In other words, long-standing, structural and systemic issues persist in Sri Lanka, and now there are clear warning signs that past patterns of violations could be repeated.

Madam President,

Successive Government commissions have failed to credibly establish truth and ensure accountability. Indeed, the Government has obstructed investigations and judicial proceedings into emblematic human rights cases.

The latest commission of inquiry, appointed in January 2021 to review the findings of previous commissions, promises to repeat this cycle without meaningful result.

By repeatedly failing to advance accountability for past human rights violations committed, and by withdrawing its support for the Council's resolution 30/1 and related measures, the Government has largely closed the door on the possibility of genuine progress to end impunity through a national process.

For these reasons, I call on the Council to explore new ways to advance various types of accountability at the international level, for all parties, and seek redress for victims, including by supporting a dedicated capacity to collect and preserve evidence and information for future accountability processes, as well as to support relevant judicial proceedings in Member States.

My Office stands ready to continue monitoring the human rights situation, including progress towards accountability and reconciliation.