

## *Check against Delivery*

Organization: Lawyers' Rights Watch Canada

Item: Item 2: Interactive Dialogue on the OHCHR report on Sri Lanka (HRC res. 46/2)

Date: 3 March 2022

Speaker: Harini Sivalingam

## **Oral Statement to the 49th Session of the UN Human Rights Council from Lawyers' Rights Watch Canada (LRWC), NGO in special consultative status**

### **Pursuing Accountability and Justice in Sri Lanka**

Mme. President,

Lawyers' Rights Watch Canada appreciates the OHCHR's report on Sri Lanka.<sup>1</sup> We note the concerns about the continued lack of accountability for past human rights violations in Sri Lanka, the alarming trends towards majoritarianism that undermine democratic institutions, and the pattern of intimidation and threats towards human rights defenders and victims.

As noted in the report, the Government of Sri Lanka has failed to establish any credible pathways for transitional justice towards accountability and reconciliation. The families of the disappeared have faced extensive harassment and surveillance by security agents in efforts to hinder their access to truth, justice, and reparations.

We have previously raised concerns about the arrest and detention of Hejaaz Hizbullah, a lawyer and vocal advocate for the Muslim minority in Sri Lanka. While recently ordered released by the courts, Mr. Hizbullah spent close to two years arbitrarily detained without trial under Sri Lanka's draconian *Prevention of Terrorism Act* (PTA). His case is a clear example of the need to repeal the PTA.

We reiterate our calls upon the Council to:

1. Seek a referral of the situation of Sri Lanka to the International Criminal Court; and
2. Urge Members states to investigate and prosecute international crimes committed in Sri Lanka through domestic judicial proceedings utilizing the principles of universal jurisdiction.

Thank you, Mme. President.

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<sup>1</sup> UN Human Rights Council, Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General. Promoting reconciliation, accountability and human rights in Sri Lanka, A/HRC/49/9, 25 February 2022, [https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session49/Documents/A\\_HRC\\_49\\_9\\_AdvanceUneditedVersion.docx](https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session49/Documents/A_HRC_49_9_AdvanceUneditedVersion.docx)