



Statement by the Democratic Socialist Republic of Sri Lanka
27th Session of the Human Rights Council
Agenda Item 3
Interactive Dialogue with the Working Group on Enforced and
Involuntary Disappearances

Mr. President,

Sri Lanka takes note of the Report of the Working Group on Enforced or Involuntary Disappearances (A/HRC/ 27/49) and the remarks made therein on Sri Lanka's continued engagement with the Working Group.

Sri Lanka has taken multiple initiatives to address the allegations of disappearances, which include strengthening the domestic institutional framework to deal with all aspects of disappearances; streamlining the mechanism of entertaining complaints; and putting in place measures to investigate disappearances in a timely manner.

Mr. President,

A three-member **Presidential Commission of Inquiry on Missing Persons (COI)** appointed in August 2013, has made considerable progress in their efforts to undertake investigations into several matters referred to in the recommendations of the LLRC. As at August 2014, the Commission of Inquiry on Missing Persons has conducted 6 rounds of sittings in Kilinochchi (18-21 January 2014), Jaffna (14-17 February 2014), Batticaloa (20 – 22, March 2014 and 6-8 June 2014), Mullaitivu (5-8 July 2014) and in Mannar (8 – 11 August 2014). The 7th round is scheduled to be held at Divisional Secretariat of Poonagiri in Kilinochchi District from 27-30 September 2014.

The COI has received 19,471 complaints which includes approximately 5,000 complaints from relatives of missing security forces personnel. Recorded evidence by the complainants is being analysed for further investigation through an independent Investigation Team.

Given the complexities related to cases of missing persons and the relevance of such cases to the process of reconciliation that is already underway in Sri Lanka, the term of the COI was extended to February 15, 2015. Moreover, by Presidential Proclamation gazetted on July 15, 2014, the Commission's mandate was enhanced to inquire into several matters, including recommendations categorised by the LLRC under International Humanitarian and Human Rights Law.

The Commission itself was strengthened, at the request of its Chairman, through the appointment of a five-member Advisory Council which includes persons of international eminence. The Chairman of the Advisory Panel has already held preliminary discussions with the Chairman of the Commission.

Furthermore, **the Bill on Assistance to and protection of Victims of Crime and Witnesses** which safeguards the rights of victims and witnesses approved by the Cabinet of Ministers and gazetted on 8 August 2014, was tabled in Parliament this week. The salient features of the Bill include, inter alia, the recognition and setting out of rights of victims of crime and entitlements of witnesses; creation of certain offences that may be committed against victims of crime and witnesses; establishment of a mechanism for inquiry into complaints against infringement or imminent infringement of rights or entitlements of victims of crime or witnesses; establishment of an authority for the purpose of administering the

provisions of the Bill; establishment of a special division by the Inspector General of Police to provide assistance to victims of crime; imposing duties on courts, commissions or law enforcement authorities in providing protection to victims of crime and witnesses; establishment of a special fund to be utilised for the payment of compensation to victims of crime and providing for the recording of evidence through contemporaneous audio visual linkage from remote locations within Sri Lanka.

On the Resolution 25/1, it is reiterated that our position remains as reflected in our national statement delivered earlier in this Session.

That notwithstanding, as noted in the Working Group's report, Sri Lanka's regular engagement with the Working Group on Enforced or Involuntary Disappearances (WGEID) continues and the Government will continue to maintain a close dialogue with the Working Group with a view to clarifying outstanding issues. To this end, we are looking forward to the forthcoming meeting with the Working Group next week.

In conclusion, Mr President,

On the request by the Working Group to visit Sri Lanka, as reiterated at the current Session of the Council, the Government will seek to process the request for a visit once the work of the Presidential Commission on Missing Persons (COI) concludes its work, as the findings of the latter could have some correlation with that of the Working Group.

I thank you.