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Annual report of the United Nations High Commissioner  
for Human Rights and reports of the Office of the  
High Commissioner and the Secretary-General

## Oral update of the High Commissioner for Human Rights on promoting reconciliation, accountability and human rights in Sri Lanka\*

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\* Reproduced as received.

1. On behalf of the High Commissioner for Human Rights, I am pleased to provide this oral update on the implementation of Human Rights Council resolution A/HRC/25/1<sup>1</sup> on promoting reconciliation, accountability and human rights in Sri Lanka. It covers developments in 2014, and focusses in particular on the issues highlighted in resolution 25/1 and the recommendations contained in the previous High Commissioner's report to the Council in March 2014<sup>2</sup>.
2. The resolution tasked OHCHR to monitor the human rights situation in Sri Lanka and to continue to assess progress on relevant national processes; to undertake a comprehensive investigation into alleged serious violations and abuses of human rights and related crimes by both parties in Sri Lanka during the period covered by the Lessons Learnt and Reconciliation Commission, and to establish the facts and circumstances of such alleged violations and of the crimes perpetrated with a view to avoiding impunity and ensuring accountability, with assistance from relevant experts and special procedures mandate holders; and to present an oral update to the Human Rights Council at its twenty-seventh session, and a comprehensive report followed by a discussion on the implementation of the resolution at its twenty-eighth session.
3. OHCHR has now set up a dedicated OHCHR team to carry out the comprehensive investigation. Terms of reference have been published, as well as a call for submissions. The team is giving priority to gathering and corroborating first hand information in order to ensure an independent and impartial investigation. This will be a highly complex task given the time period and the gravity of the many cases and incidents to be investigated.
4. The Office has repeatedly been accused in Sri Lankan media of lack of transparency for not revealing details of its investigation team or its sources, but such confidentiality will be a necessary measure to protect anyone who provides information to the investigation, as well as to ensure the integrity of the investigation itself.
5. On 30 May, OHCHR staff met with the Permanent Representative of Sri Lanka in Geneva to brief him on the steps being taken in setting up of the investigation team and to invite cooperation. On 5 June, the former High Commissioner wrote to HE Mr G.L. Peiris, Minister of External Affairs, setting out the parameters of the investigation, providing further details about the team that would carry it out, and expressing hope that the Government would cooperate fully with the investigation. However, in a statement on 10 June, the Sri Lankan Permanent Representative informed the Human Rights Council of Sri Lanka's rejection of the HRC resolution and non-cooperation with the OHCHR investigation.
6. On 18 June, the Sri Lankan Parliament passed a motion opposing the investigation, on the grounds, inter-alia, that it violated Sri Lanka's sovereignty, although one opposition party voted against and others abstained or absented themselves from the vote. The Northern Provincial Council had previously adopted three resolutions on 28 April supporting the Human Rights Council resolution.
7. On 5 July, the Minister of External Affairs, responding to the former High Commissioner's 5 June letter, informed her of the Government of Sri Lanka's position on resolution 25/1. The Minister reiterated that the Government "categorically and unreservedly rejected the resolution 25/1 on Sri Lanka and would not engage in any related process". He indicated nevertheless that "cooperation with your Office and the Council will continue." The Permanent Mission of Sri Lanka also declined an offer by OHCHR to introduce the coordinator of the OHCHR investigation team, as well as, subsequently, to

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<sup>1</sup> [http://ap.ohchr.org/documents/dpage\\_e.aspx?si=A/HRC/25/L.1/Rev.1](http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/25/L.1/Rev.1)

<sup>2</sup> A/HRC/25/23 ; see also comments by Government of Sri Lanka A/HRC/25/G/9.

meet with one of the three experts appointed by the High Commissioner to support the investigation team. President Rajapaksa has made several public comments, most recently on 19 August, that the OHCHR investigation team will not be given access to Sri Lanka.

8. Meanwhile, under the terms of resolution 25/1, the former High Commissioner invited H.E. Mr Martti Ahtisaari, former President of Finland and Nobel Peace Prize Laureate, Ms Silvia Cartwright, former Governor-General, High Court judge of New Zealand and judge of the Extraordinary Chambers of the Courts in Cambodia, and Ms Asma Jahangir, former President of the Supreme Court Bar Association and Human Rights Commission of Pakistan, who has previously held several Human Rights Council mandates, to play a supportive and advisory role to the investigation team as relevant experts. Relevant Special Procedures mandate holders are also exploring ways of assisting the investigation, while preserving the independence and integrity of their own mandates.

9. The High Commissioner is deeply grateful to these distinguished experts for agreeing to play this important role on a pro-bono basis. They will not lead the investigation, but will provide expert advice and guidance to the investigation team, and accompany the process to provide an independent verification of the investigation. The experts held their first meeting with the investigation team in Geneva on 6-7 September to review the methodology and progress in the investigation. The investigation team has also been meeting with a coordinating group of Special Procedures mandate holders.

10. At this juncture, the High Commissioner would like to respond directly to two concerns that have been raised by the Government of Sri Lanka, some civil society groups and media concerning the mandate of the OHCHR investigation. The first argument made is that there is a contradiction between operative paragraph 2 of resolution 25/1 which requests Sri Lanka to conduct a credible and independent investigation, and operative paragraph 10 of the resolution which requests OHCHR to conduct an international investigation. There is absolutely no contradiction in this regard. As successive Human Rights Council resolutions have noted, Sri Lanka has international legal obligations to investigate violations and provide victims with remedy. However, in resolution 25/1, the Human Rights Council took note of the absence of a credible national process with tangible results and requested OHCHR to conduct its own investigation. The fact that there is an international investigation does not relieve Sri Lanka of its obligations under international humanitarian law and international human rights law to conduct investigations, nor does the existence of domestic initiatives (which only partially cover the period and allegations concerned) prevent an international investigation moving forward. The question is how Sri Lanka will take further the results of the international investigation in its own domestic process, or whether further steps will be required.

11. The second concern raised is the decision of OHCHR to investigate violations up until November 2011, the time the LLRC presented its final report. This is important because the LLRC, to its credit, took an expansive view of its mandate and examined a number of violations that had their origins before the February 2002 or continued after the end of the armed conflict in May 2009. These include for instance the detention of suspects which occurred at the end of the war but continued for an extended period afterwards, or enforced disappearances which remain ongoing violations to this day. The former High Commissioner correctly interpreted that the Human Rights Council's intention was not to draw an arbitrary line in May 2009 but to ensure the comprehensive scope of the LLRC report was fully addressed,

12. The High Commissioner very much regrets the Government of Sri Lanka's rejection of resolution 25/1 and position of non-cooperation with the investigation, and he encourages the Government to keep its channels open. The High Commissioner notes that the Government has invited him to visit Sri Lanka and he will be meeting with the Minister of External Affairs in New York later this month.

13. This is a unique and historic opportunity to establish an accurate record of patterns of human rights violations and related crimes alleged to have been committed by both sides during the latter period of the conflict that will meet the expectations of Sri Lanka's people, particularly the victims of both sides of the conflict, and a broad cross-section of the international community. This includes serious crimes committed by the LTTE and Tamil armed groups over many years, including the recruitment of children as soldiers and attacks on civilians. Withholding cooperation from the investigation means that valuable information held by the Government cannot be taken into account. It will also represent a missed opportunity to engage in a deeper truth-seeking process that will ultimately contribute to Sri Lanka's long term interests in lasting peace and reconciliation.

#### **Engagement with human rights mechanisms**

14. The UN Special Rapporteur on the human rights of migrants conducted an official country visit from 18-26 May 2014. In his report to the Human Rights Council, the Special Rapporteur welcomed the efforts undertaken by the Sri Lankan authorities to regulate labour migration and protect the rights of its citizens migrating abroad, but noted the need to fully implement a human rights approach. He also looked into the situation of migrants in Sri Lanka and noted the need to implement regulations, monitor the detention of migrants in Sri Lanka, and to revise constitutional provisions which discriminate against migrants.

15. There remain nine outstanding requests to visit Sri Lanka by other special procedures: on minority issues; freedom of peaceful assembly and of association; freedom of opinion and expression; extrajudicial, summary or arbitrary executions; enforced or involuntary disappearances; human rights defenders; independence of judges and lawyers; discrimination against women in law and practice; and truth, justice, reparation and guarantees of non-recurrence.

16. The High Commissioner reiterate his predecessor's calls to invite the special procedures on enforced or involuntary disappearances and minority issues as a matter of priority, considering the centrality of these issues to the accountability and reconciliation agenda. The Government has again indicated that it will consider a visit by the WGEID once the Commission of Inquiry on missing persons, discussed below, concludes its work.

17. Sri Lanka's fifth periodic report under the ICCPR will be examined by the Human Rights Committee in October 2014.

#### **Threats to civil society actors**

18. The High Commissioner has been shocked at the ongoing campaign of threats, harassment, intimidation and reprisals by both state and non-state actors since March against civil society groups, human rights defenders and victims' organisations, including those who might support or engage with the international inquiry. On 7 April 2014, the Minister of Mass Media and Information informed the press that the Government would take legal action against those who testify before the OHCHR investigation if the evidence submitted by them was in violation of the country's Constitution. Various calls were made by representatives of political parties and other groups for the arrest of members of parliament and civil society members who had participated in the Human Rights Council session in March.

19. This has been followed by a steady stream of incitement and hate speech in print, electronic and social media against civil society activists who have publicly advocated for accountability, reconciliation and human rights. On 10 August 2014, for instance, an article in the Sinhalese language newspaper Divaina attacked prominent human rights activists, declaring "Clearly what should be done is to shoot them and throw them to the forest for

the foxes to eat. But we won't say that should be done, because we do not have the tribal mentality of those who betray the country.”

20. On 4 August, a private meeting of civil society actors, the diplomatic community and families of the disappeared in Colombo was disrupted by protestors including Buddhist monks, reportedly representing families of missing armed service personnel. Families of the disappeared as well as civil society actors were verbally abused, threatened and called traitors. Police were present but were ineffective in removing the mob. The Ministry of External Affairs subsequently issued a press release urging the diplomatic community to be more conscious of local sensitivities when attending events of an “emotive” nature.

21. In another recent case, two prominent human rights lawyers reported being threatened on 13 September by unidentified men at a law office for appearing in “unnecessary cases”. In August, the two had been intimidated with another colleague by a group of men inside Maradana police station allegedly in front of a senior officer while making representations on behalf of their clients.

22. On 21 March 2014, the Government also announced the proscription of 16 Tamil organisations and 424 individuals pursuant to UN Security Council Resolution 1373. These included not only the LTTE, but many mainstream Tamil diaspora organisations which have been actively engaged with the Human Rights Council and international human rights mechanisms. While the High Commissioner fully respects the responsibility of the Government to safeguard against any resurgence of terrorism in the country, such measures must meet the requirements of necessity and proportionality, and this step will have far-reaching and negative impacts on freedom of expression and association and efforts for reconciliation in the country.

23. This is part of a broader trend of increased restrictions on NGO activities since the former High Commissioner's last report. On 1 July, a circular was issued by the NGO Secretariat, which is located under the Ministry of Defence, indicating that press conferences, workshops, trainings for journalists and dissemination of press releases were unauthorized activities and should not be undertaken by NGOs. After speaking out against this circular, the President of the Bar Association reported receiving repeated threats to his security. A number of workshops organized by NGOs for Tamil-speaking journalists were disrupted and finally stopped from taking place in June and July.

#### **Protection of victims and witnesses**

24. This climate of intimidation and threat seems calculated to make the international investigation mandated by the Human Rights Council even more challenging and difficult. It means that the OHCHR team have to take all possible appropriate measures to protect potential witnesses who may wish to provide information.

25. It will also impact on the prospects for Sri Lanka's own domestic investigations, where witness and victim protection has long been a major concern. The High Commissioner notes in this regard that the Government finally submitted to Parliament the Assistance to and Protection of Victims of Crime and Witnesses Bill in August 2014. This draft legislation has been in preparation since 2006 and Sri Lanka has repeatedly committed to its adoption in the Human Rights Council. OHCHR will carefully study the draft legislation in line with international standards. However a preliminary analysis raises a number of concerns about the composition of the proposed National Authority for Protection of Victims of Crime and Witnesses, the location of the victims of crime and witnesses assistance and protection division within the police department, and the prohibition of accepting assistance from foreign governments. The High Commissioner also notes that the draft bill requires public officials to be present when witnesses testify from remote locations, which will severely constrain the possibilities for evidence to be

taken by video-link from abroad. The former High Commissioner's offer of technical assistance in this area has not been accepted.

### **LLRC implementation**

26. In resolution 25/1, the Human Rights Council reiterated its call upon the Government of Sri Lanka to implement effectively the constructive recommendations made in the report of the Lessons Learnt and Reconciliation Commission (LLRC). The Council took note of the Government's national plan of action to implement the LLRC recommendations, although noted that it did not adequately address all of the findings and recommendations of the Commission and did not sufficiently address serious allegations of violations of international human rights and humanitarian law.

27. In May 2014, the President informed the Secretary-General that 30 percent of the LLRC recommendations had been implemented<sup>3</sup>. A Special Bureau for Reconciliation has been established to assist line ministries in implementation of various aspects of the national plan of action for implementation of the LLRC recommendations. The Government's last update on implementation of the plan was published in July 2014<sup>4</sup>.

28. There have been further steps to implement a national trilingual language policy, including the establishment of Official Languages Commissions in two provinces and the provision of Tamil speaking police officers in the North and East. A National Unity Convention was held in April and Social Integration Week in July to encourage social cohesion. Sri Lanka also hosted the World Conference on Youth in May 2014.

29. Resettlement, reconstruction and development activities have continued apace in the northern and eastern provinces, with the Government reporting that as of August 2014 only 26,056 internally displaced persons (7,840 families) remain to be resettled. Progress has also been made in the restoration of the education system in the conflict-affected areas with 1,105 primary schools upgraded and promising student results in both provinces. The Government reports it has allocated an additional Rs 475 million for restitution and compensatory relief in 2014, but has yet to develop a national reparations policy as part of a broader transitional justice process, as recommended by former High Commissioner and encouraged by the Human Rights Council. The High Commissioner encourages the Government to involve the elected Northern Provincial Council more fully in the design and implementation of these reconstruction programs.

30. OHCHR will closely follow future developments in the implementation of the LLRC recommendations, and report again on progress to the Human Rights Council in its forthcoming report in March 2014.

### **Domestic accountability processes**

31. One of the important initiatives taken in follow up to the LLRC was the establishment of a Presidential Commission of Inquiry to investigate cases of abduction and disappearance between January 1983 and May 2009 of persons resident in the north and east of Sri Lanka. As of August 2014, the Commission had held six rounds of public hearings in Kilinochchi, Jaffna, Batticaloa, Mullaitivu and Mannar. The Commission is understood to have received 12,995 complaints from the northern and eastern provinces of which 1,215 have been invited to appear and 930 cases have been completed. A further 3,241 applications have been received during the public hearings, although it is not clear if these are included in the figure above. Approximately 374 complaints have been received

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<sup>3</sup> <http://www.news.lk/news/politics/item/843-president-and-un-sec-gen-hold-discussions>

<sup>4</sup> <http://llrcaction.gov.lk/assets/downloads/npoa/en/NPoA-July-2014-Thematic-Area-ENG.pdf>

from other provinces that might fall outside the scope of the inquiry, as well as approximately 5,000 complaints from families of missing army personnel.

32. While OHCHR has not observed the proceedings at first hand, reports from independent observers have raised concerns with the line of questioning by the commissioners and counsel, the quality of translation services, the lack of counselling support for victims and the presence of military intelligence officers at some hearings. Families of the disappeared have also complained of harassment and pressure by police, military and intelligence prior to and at the time of the hearings which impeded some from appearing before the Commission. At the Mullaitivu hearings in July, some testimonies revealed family members had been approached by officials of the Terrorism Investigation Department pressuring them to obtain death certificates for their missing loved ones. The Bishop of Mannar raised similar concerns in a letter to the Commission in August 2014. These challenges have been flagged to the Commission by civil society groups but the same problems have continued to be reported at subsequent hearings. The Government has reported it is finalising a “Psycho-social Support and Counselling Services” programme for relatives of missing persons.

33. The mandate of the Commission has been extended twice by the President, its current completion date now being 25 February 2015. In July 2014, the President also announced that the mandate of the Commission would be broadened to include investigations into the facts and circumstances that led to the loss of life in the final stages of the conflict and whether any individuals or groups bear responsibility, the adherence of both Sri Lankan forces and the LTTE to principles of international humanitarian law, as well as the use of human shields and other crimes committed by the LTTE.

34. The President also invited six international experts to act as an advisory group to the Commission. At the time of this update, the role of experts and the nature of their involvement were not clear, nor whether they would be supported by independent staff or observe proceedings. It was also not clear what new investigative resources would be put at the disposal of the Commission, or how its methodology would change to fulfil its expanded mandate, in view of the public hearings already conducted.

35. The other domestic investigation into alleged violations created to follow up the LLRC are the Army Courts of Inquiry. The first stage on alleged civilian casualties was completed last year, but its report has still not been published, as requested by the Human Rights Council to allow the evidence and findings to be evaluated. No further progress has been reported in the second stage to examine the video footage of summary executions and other violations broadcast by Channel Four.

36. On the other emblematic cases reported by the former High Commissioner, there has been no further outcome. The non-summary proceedings to investigate the killing of five students in Trincomalee in 2006 have not reached conclusion after one year and the security force personnel remanded in the case have remained on bail. In relation to the killing of 17 Action Contre la Faim (ACF) aid workers in Muttur in 2006, the Government has indicated it is discussing possible cooperation with France to access witnesses who are now abroad, although the Embassy of France has announced that no agreement has been reached. The Ministry of Defence also circulated a report it had commissioned from a group of unnamed experts which makes criticisms of the conduct of ACF in this case and concludes the deaths could have been prevented. The relationship between this report and the formal criminal investigation is unclear, and it seems an inappropriate interference in the judicial proceedings and which also risks compounding the stress and trauma experienced by the victims’ families.

37. The report of the Sri Lankan Army’s investigations into the deaths of protestors in the incident at Welewirya in August 2013 has still not been published, as requested by the

Human Rights Council, nor have the results of the inquiries into deaths at Vavuniya and Welikanda Prisons in 2012.

38. The national inquiry on torture cases which had been announced by the Human Rights Commission of Sri Lanka at this time last year has not proceeded in any form.

#### **Mass graves**

39. A number of new grave sites have continued to be discovered, but exhumations and investigations have proceeded slowly. A mass grave believed to contain more than 80 bodies, including women and children, was discovered in Mannar at the end of 2013, and the government ordered its exhumation and investigation. On 6 August, the court instructed that masonry well near to the site be excavated and that statements be recorded from family members of those who could be buried there.

40. In February 2014, community members approached the authorities, UN and ICRC regarding groupings of skeletal remains found in different areas of Mullaitivu. The military reported that investigations indicated that the remains were linked to an LTTE outpost. In relation to the Matale mass grave where over 150 human remains were discovered in November 2012 and where initial reports indicated that the deaths date from the period of the JVP insurgency in the late 1980s, the Government announced in April 2014 that it would be sending the human remains to an overseas laboratory for radio carbon dating, the results of which are not known.

41. In June 2014, the Kathankudi Magistrate Court also issued an order for the exhumation of an alleged mass grave at Kurrukkalmadam containing the victims of a massacre of Muslims by the LTTE in July 1990. The exhumation has been postponed twice until November 2014. It is critical to ensure that a credible and transparent judicial process is undertaken to investigate any mass graves that are identified, with appropriate support from independent, international experts.

#### **Arbitrary arrest and detention**

42. The Government has made significant progress in the release of detainees, reporting that of the thousands held at the end of the war, as of 11 August 2014 only 114 former LTTE combatants remained in rehabilitation centres and 84 were under legal proceedings, either in custody or on bail. New cases of arbitrary arrest and detention under the Prevention of Terrorism Act (PTA) have continued to be reported. In February and March 2014, the Government announced that a number of former LTTE fugitives were attempting to re-establish the LTTE in the north, and began a major search operation detaining over 65 people, including women, in various areas of the north at that time. This was the most significant security operation since the end of the war and reportedly created considerable panic and fear within the community. A number of human rights defenders were arrested at that time on suspicion of engagement with former LTTE cadres, including an outspoken activist on disappearances Ms. Balendran Jeyakumari together with her 13-year-old daughter; Mr. Ruki Fernando and Catholic priest Father Praveen. The High Commissioner is concerned that to date Ms. Jeyakumari remains in detention without charge under the PTA.

#### **Militarisation, land acquisition and development**

43. This must be seen in the context of the broader concerns expressed by the Lessons Learnt and Reconciliation Commission about the degree of militarisation in the north and its recommendations for the disengagement of the military from civilian administration activities, including the general maintenance of law and order. The President has renewed each month proclamations under section 12 of the Public Security Ordinance (1947) calling

out the armed forces for the maintenance of public order. In July 2014, the President also reappointed retired Major General (Retd) G.A. Chandrasiri as Governor of the Northern Province. The Government reports an overall reduction of 35 per cent in military presence since the end of the war, including 4 per cent in the first half of 2014.

44. The military nevertheless continues to occupy and compulsorily acquire private land. For instance, the compulsory acquisition by the Army of 6,371 acres of private land in Valikamam North, Jaffna is being challenged by 2,176 affected landowners in the Court of Appeal. The Government reports that new legislation to restore land rights is scheduled to be discussed in a parliamentary committee in September and regulations for the establishment of mediation boards to resolve land disputes are still to be gazetted.

45. Since the end of the war, the Urban Development Authority (UDA), which is part of the Ministry of Defence, has undertaken significant development projects in Colombo aimed at improving infrastructure and removing shanties and slums. Official estimates of the numbers of families to be relocated during the next few years vary between 70,000 – 135,000.<sup>5</sup> The program has been criticized for lacking transparency, public consultation and inadequately addressing disruption to livelihoods caused by involuntary resettlement. There have also been reports of surveillance, threats and harassment by the security forces prior to and after relocation. For instance, in February 2014, it was reported that 2,500 families were to be forcibly evicted from privately owned properties and had been offered sub-optimal housing alternatives in compensation. Protests took place over a number of weeks, including when one community activist was abducted after he refused to vacate his premises but was released the following day.

#### **Attacks on religious minorities**

46. Like his predecessor, the High Commissioner is deeply alarmed by the escalation in religious extremism and increasing attacks against Muslim and Christian minorities, largely led by militant Buddhist groups. Between January and August 2014, OHCHR received reports of at least 88 cases of attacks against individuals, places of worship, businesses and properties, or incidents of hate speech directed at Muslims. June 2014 saw one of the worst incidents of sectarian violence in Sri Lanka's recent history, when violence erupted in the town of Aluthgama following a large rally of the Buddhist group Bodu Bala Sena (BBS) to protest an alleged assault a few days earlier by a Muslim youth against a Buddhist monk visiting the local temple. After the rally, BBS supporters moved in procession through Muslim neighbourhoods, chanting anti-Muslim slogans. Homes, shops and mosques were reportedly attacked and some set ablaze. Four persons were reportedly killed and 80 injured.

47. President Rajapaksa subsequently visited the scene of the clashes and promised an investigation and stern action against communal violence and compensation for those affected. The perpetrators of such incidents have been routinely recorded on video footage, with the police visibly failing to take any action to stop the provocation and violence. No prosecutions of those responsible have taken place to date. The new legislation on hate speech, proposed by some Ministers during the former High Commissioner's visit one year ago, has yet to be advanced, nor has the Government accepted OHCHR's offer of assistance in this area. The High Commissioner urges the Government to ensure strong action against the groups responsible for such attacks and send positive signals of the Government's commitment to protect minority communities.

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<sup>5</sup>[http://www.defence.lk/new.asp?fname=Prospects\\_of\\_relocating\\_underserved\\_settlements\\_in\\_Colombo\\_suburbs\\_20130205\\_01](http://www.defence.lk/new.asp?fname=Prospects_of_relocating_underserved_settlements_in_Colombo_suburbs_20130205_01)

48. In a parallel development since early June, the authorities have arrested or detained a total of 328 and deported 183 refugees and asylum seekers<sup>6</sup>. Most of those detained are of Pakistani and Afghan origin, many of them from minority Shia or Ahmadiya sects. Some have been recognised as refugees by UNHCR through its local status determination procedure, while the cases of others were in process. In early September, following a petition in the Court of Appeal and negotiations between the Government and UNHCR, 73 of those detained were released, but since then arrests and deportations have continued. UNHCR believes 102 people of concern, including 38 Pakistanis and 64 Afghans, remain in detention. As a State Party to the Convention against Torture, Sri Lanka must carefully abide by its non-refoulement obligations, and the High Commissioner encourages the Government to cooperate with UNHCR in ensuring protection and durable solutions for such persons of concern.

49. During the same period between January and August 2014, Christian groups have also reported over 55 cases of harassment and violence against individuals, clergy, places of worship and private property.

### **Conclusion**

50. **This update shows the importance of the Human Rights Council's continued attention to both the current human rights situation in Sri Lanka, as well as efforts to ensure accountability and reconciliation for human rights violations alleged to have occurred during the conflict.**

51. **The High Commissioner urges the Government to seize the opportunity presented by the recommendations of the Lessons Learnt and Reconciliation Commission to address many root causes and structural issues that contributed to the conflict, and lay the basis for longer-term reconciliation. While noting the steps taken to expand the remit of the Commission of Inquiry on missing persons, he hopes the Government will initiate a comprehensive truth seeking process, as recommended by his predecessor and echoed by the Human Rights Council.**

52. **Meanwhile, the High Commissioner urges the Government to end the climate of intimidation, threat and harassment against civil society actors advocating for justice and human rights, as well as incitement to hatred and violence against the country's Muslim and Christian minorities, which will only undermine the prospects for peace and reconciliation.**

53. **Notwithstanding the commendable progress the Sri Lankan Government has made in resettlement and reconstruction, the High Commissioner firmly believes that a more fundamental and far-reaching accountability process in Sri Lanka, addressing both past and ongoing violations, is absolutely necessary for Sri Lankans to come to terms with their past, end impunity, achieve reconciliation between communities and strengthen the rule of law. The High Commissioner intends the comprehensive investigation mandated by the Human Rights Council and being undertaken by OHCHR to make an important contribution in this regard. He therefore appeals once again to the Sri Lankan authorities to cooperate fully with the investigation, as well as with the relevant Special Procedures mandate holders, in the long-term interests of all Sri Lankans.**

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<sup>6</sup> UNHCR figures as of 12 September 2014.