

FOR IMMEDIATE RELEASE:

USTPAC deeply disturbed by Sri Lankan Justice Minister's statement

Minister threatens legal action against those who allege war crimes by armed forces

WASHINGTON DC (23 September 2016) – In an [interview](#) with BBC Sandeshaya, Sri Lankan Justice Minister Wijeyadasa Rajapakse categorically rejected all allegations of war crimes committed by Sri Lanka's armed forces and stated the government would take legal action against anyone who alleges the armed forces committed war crimes. Furthermore, he said that anyone who discusses mass graves in Sri Lanka's North is an enemy of the nation and war heroes.

In response to the Minister's remarks, US Tamil Political Action Council (USTPAC)'s President Dr. Karunyan Arulanantham said:

“USTPAC is deeply troubled by Justice Minister Rajapakse's comments. His calls for legal action against those who accuse the armed forces of war crimes appears an attempt to silence victims and human rights defenders as they search for truth and justice. It runs counter to and potentially negates the current government's commitment to Transitional Justice and good governance.”

Minister Rajapakse's statement, taken with repeated pledges to protect war heroes from President Sirisena and Prime Minister Wickremesinghe, seriously damages victims' trust in the government to carry out credible transitional justice mechanisms and institutional reforms as agreed to by Sri Lanka in UN Human Rights Council [Resolution 30/1](#). It also contradicts the findings of the 2010 Panel of Experts Report, the 2012 Petrie Report, and the 2015 Report of the OHCHR Investigation on Sri Lanka (OISL). These UN reports identified widespread and systematic war crimes committed by both sides during Sri Lanka's civil war.

“Given the Justice Minister's comments on mass graves, he should not have any role in creating, operating or monitoring the Office on Missing Persons...” USTPAC

The [OISL Report found](#) in its principal findings that there were “reasonable grounds” to believe that international crimes had been committed by the Sri Lankan army including: unlawful killings & enforced disappearances, shelling of civilian areas, shelling of hospitals, sexual torture, and denial of humanitarian aid, while the LTTE's international crimes included: unlawful recruitment of children, unlawful killings, and forced recruitment.

The OISL Report noted that, “The sheer number of allegations, their gravity, recurrence and the similarities in their *modus operandi*, as well as the consistent pattern of conduct they indicate, all point towards system crimes,” i.e. **war crimes** and **crimes against humanity**.

Dr. Karunyan further stated: “This development points to the need for transitional justice mechanisms that are fully independent from the unreformed Justice Ministry. Given the Justice Minister’s comments on mass graves, he should not have any role in creating, operating or monitoring the Office on Missing Persons.

“The Minister’s statement should raise alarm bells among the international community. The partiality of the Justice Minister is another indication that there must be international expert participation in the transitional justice mechanisms in Sri Lanka, including international judges. Critically, statements of this kind by senior members of the government point to the need for long-term monitoring on implementation of Resolution 30/1 by the OHCHR.”

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Notes for Editors

- USTPAC is a US-based Tamil advocacy group advocating for a cessation of ongoing human rights abuses in Sri Lanka, accountability from both the government of Sri Lanka and LTTE for crimes committed during and after the civil war, and a political settlement to address the root causes of the conflict. It has worked for these goals at the UNHRC since 2012.
- In September 2015, the [report of the OHCHR Investigation on Sri Lanka](#) (OISL) identified widespread and systematic war crimes and crimes against humanity committed against civilians. The government’s conduct during the final period of the civil war was particularly heinous.
- In October 2016 the government of Sri Lanka co-sponsored consensus-based UNHRC Resolution 30/1. The Resolution, along with the OISL Report, established a framework for transitional justice, institutional reform and political settlement. The UNHRC requested High Commissioner for Human Rights provide an oral report on Sri Lanka’s implementation of the Resolution in June 2016 and written report in March 2017.
- The Working Group on Enforced and Involuntary Disappearances (WGEID) delivered a report to the UNHRC on 15 September 2016. The report noted problems in the way the government has secured mass grave sites and handled evidence. Sources reported that there were significant impartiality and conflict of interest issues in the Attorney General’s Department, which falls under the Ministry of Justice.

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