

## Sri Lanka

<b>Field presence</b>	Human Rights Adviser Operation established in 2004
<b>Engagement with the human rights mechanisms</b>	
See overview table on page 216	
<b>Visits by special procedures in the past five years</b>	
Special Rapporteur on internally displaced persons (2013)	
<b>Pending visit requests by special procedures</b>	
Working Groups on disappearances; and discrimination against women in law and practice	
Special Rapporteurs on minorities; freedom of peaceful assembly and of association; freedom of opinion and expression; summary executions; human rights defenders; and independence of judges and lawyers	
The Government has announced that it has extended an invitation to the Special Rapporteurs on internally displaced persons; and migrants.	

A number of significant human rights developments related to Sri Lanka took place during the period 2011-2013. With regard to post-war accountability and reconciliation, the Panel of Experts established to advise the Secretary-General on accountability issues with respect to the final stages of the conflict in Sri Lanka issued their report in April 2011. In December 2011, the government-established Lessons Learned and Reconciliation Commission (LLRC) published a report with far-reaching recommendations towards reconciliation and strengthening of the rule of law.

The Human Rights Council adopted two resolutions on 'Promoting Reconciliation and Accountability in Sri Lanka' in March 2012 and 2013, respectively. The resolutions called for the Government to implement the constructive recommendations of the LLRC and encouraged OHCHR and relevant special procedures mandate-holders to provide support through technical assistance. The resolutions further requested that the High Commissioner report on any progress achieved. Two OHCHR visits to Sri Lanka were undertaken in 2012 and 2013. The first was a technical mission in September 2012 to evaluate progress on post-war accountability and reconciliation and the second was a visit by the High Commissioner in August 2013. Following the first mission, the High Commissioner wrote to the Government to offer a comprehensive package of

technical support within the context of a transitional justice framework which she re-iterated during her August visit.

The High Commissioner raised a number of issues related to the implementation of LLRC recommendations as well as the broader human rights situation in Sri Lanka in her March 2013 report to the Human Rights Council and during her August 2013 press statement.

In September 2013, the High Commissioner submitted an oral update to the HRC. The update acknowledged the achievements that had been reached in resettlement, reconstruction and rehabilitation since the end of conflict in 2009. However, the High Commissioner also highlighted pressing concerns regarding the lack of meaningful action on core issues such as accountability, high levels of militarization in the north and ongoing human rights violations, including rape and sexual violence, harassment and intimidation of human rights defenders and journalists, rising levels of incitement to violence on religious grounds and undermining the independence of the judiciary. In the same update, she also outlined certain benchmarks to be met by the Government by March 2014 to assess progress achieved in areas identified by the Human Rights Council in the March 2013 resolution. These included extending invitations to the Working Group on Enforced and Involuntary Disappearances and the Independent Expert on minorities; demonstrating a credible national investigation process with tangible results, including the successful prosecution of individual perpetrators; and setting a clear timeline for demobilization, disarmament and disengagement of the military from activities that are meant to be civilian in nature, none of which had been fulfilled at the time of drafting the report.

In November 2012 and August 2013, the High Commissioner offered technical assistance in a number of areas which would help advance accountability and reconciliation in Sri Lanka. These areas are in line with some of the recommendations Sri Lanka accepted during its Universal Periodic Review (UPR).

OHCHR has had a Senior Human Rights Adviser (HRA) in Sri Lanka since June 2004. The standard work of the HRA is to provide support to the United Nations Country Team (UNCT) and national stakeholders, if requested, and to engage in regular field visits throughout the country. The

UNCT provided a joint submission to the UPR in 2012 and a new United Nations Development Framework (UNDAF) was launched in 2012 for the period of 2013-2018. The UN maintains a joint programme of support to the Human Rights Commission of Sri Lanka, which has gradually begun to recover its vitality.

## Thematic priorities

- ▶ Strengthening the effectiveness of international human rights mechanisms with a focus on: submission of information by civil society actors to treaty bodies, special procedures and the UPR.
- ▶ Enhancing equality and countering discrimination with a focus on: minorities.
- ▶ Widening the democratic space with a focus on: “public freedoms” (freedom of expression, assembly and association, and incitement to hatred); and national human rights institution.
- ▶ Combating impunity and strengthening accountability and the rule of law with a focus on: transitional justice.

## OHCHR expected contribution

ALL HUMAN RIGHTS FOR ALL IN SRI LANKA	
RIGHTS-HOLDERS	DUTY-BEARERS
<p><b>[EA7]</b> ▶ The Human Rights Commission of Sri Lanka, civil society organizations, human rights defenders and UN agencies actively engage with special procedures and follow up to recommendations by human rights mechanisms.</p>	<p><b>[EA1]</b> ▶ Human Rights Commission of Sri Lanka works in compliance with international standards (Paris Principles).</p> <p>▶ Legislation against hate speech is adopted in compliance with international human rights standards.</p>
	<p><b>[EA3]</b> ▶ A transitional justice mechanism is in place, including the right to truth; criminal justice and accountability aspects and the right to remedy and reparations.</p>
	<p><b>[EA4]</b> ▶ Legislation and policies to combat discrimination against minorities in compliance with international human rights standards are systematically implemented.</p>
<p><b>[EA10]</b> ▶ Sustained engagement by the international community, specifically the Human Rights Council, on issues of impunity, accountability and reconciliation for past and present human rights violations.</p>	
<p><b>[EA11]</b> ▶ UNCT members use the recommendations of the Guidance Note of the Secretary-General on Racial Discrimination and Protection of Minorities in the implementation of the UNDAF Pillars as well as other UN joint programmes.</p>	

By 2017, OHCHR expects to have contributed to the achievement of the results outlined on the table above, in support of national efforts in the different thematic priority areas (colour scheme). OHCHR will pursue these behavioural, institutional and legislative changes in cooperation with relevant partners, using the different strategic tools at its disposal – monitoring and reporting, capacity-building and advisory services, advocacy and awareness-raising (see chapter one) – on the basis of an assessment of the specific context. It is expected that if achieved, these results will contribute to improving the duty-bearers' compliance with their international human rights obligations and to the rights-holders' ability to claim their rights and thereby to the enjoyment of all rights for all in Sri Lanka.