



Asian Solidarity Conference for Accountability and Justice in Sri Lanka **Bangkok, 31 January-1 February 2015**

Conference Statement

We, more than 60 human rights defenders and civil society activists from 17 countries across Asia gathered in Bangkok to discuss and express solidarity for accountability and justice in Sri Lanka;

1. Paying tribute to all those who struggled and continue to struggle for justice and democracy in Sri Lanka, and the aspirations of the peoples of Sri Lanka for truth, justice, accountability and reparation;
2. Congratulating the peoples of Sri Lanka for democratically electing a new government and welcoming the successful conclusion of the 8th Presidential Elections and the subsequent initial efforts for reform, while taking note of the fragile unity of forces forged;
3. Recognising the opportunities for democratic debate and reform, in climate without fear, brought about by the recent elections in Sri Lanka, due to courage and commitment of Sri Lankan people, including those who worked hard and courageously to bring about this change and reverse the capture of the state and all arms of governance by the family of the previous President;
4. Duly noting that the human rights violations in Sri Lanka is a concern of both the peoples of Sri Lanka as well as all the international community;
5. Deploring the culture of impunity in Sri Lanka and the failure to bring perpetrators to justice and victims relieve;
6. Expressing particular concern over the continuing plights of the Tamil and Muslim peoples living in the North and East of Sri Lanka, which are heavily militarised; that lands occupied by the security forces are yet to be returned to the people; that the families of the disappeared continue to seek for answers with no resolution in sight; and that male, female and child victims of sexual assaults, including rapes, continue to coexist with their perpetrators, with no serious attempts to bring latter to justice or to provide support to victims;
7. Noting with concern that the key sectors essential for ensuring a healthy democracy in Sri Lanka, such as the media, journalists, lawyers and human rights defenders, have been operating in a climate of fear and subjected to judicial harassment and attacks;
8. Acknowledging the important role of the United Nations and recognising the continuous need for engagements with UN mechanisms of accountability in Sri Lanka, and noting with concern the

positions of Asian member states of the UN Human Rights Council who have voted against the Council's resolutions that call for accountability in Sri Lanka;

9. Recognising the role of other inter-governmental platforms or groupings outside the UN, such as the Commonwealth, the European Union, Community of Democracy, Bali Democracy Forum, the Association of Southeast Asian Nations (ASEAN) and the South Asian Association for Regional Cooperation (SAARC);
10. Acknowledging the need for a political solution to resolving the long-standing ethnic conflict in Sri Lanka concerning the Tamils and Muslims;
11. Recalling Article 2 of both the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) that recognises the right to self determination;
12. Paying heed to the concerns raised on existing domestic mechanisms and their failure to deliver justice to the victims and taking note of the diverse range of opinions on the processes and ways forward towards accountability and peace in Sri Lanka;
13. Recognising some positive steps already taken and several more than have been announced for the democratisation of Sri Lanka;
14. **Call on the government of Sri Lanka** to take immediate steps to restore fundamental freedoms and end the impunity in Sri Lanka. We specifically call on the government of Sri Lanka to:
 - a. Ensure that truth, justice and accountability are established through credible investigations into allegations of human rights and humanitarian law violations committed prior to and after the end of Sri Lanka's civil war;
 - b. Bring perpetrators of violence and violations to justice, and ensure that reparations are made to the victims in a manner that meets their aspirations and expectations;
 - c. Ensure the independence of national institutions including the judiciary, the National Human Rights Commission and the electoral body;
 - d. Undertake legislative reforms necessary for a democratic society, including through the repeal of repressive laws such as the Prevention of Terrorism Act (PTA);
 - e. Release all individuals currently detained under security laws including the PTA and refrain from making further arrests under these laws;
 - f. Take concrete steps to ensure the return of persons who have been disappeared, and provide answers to the families of the disappeared;
 - g. Return lands that have been occupied by the security forces, areas classified as High Security Zones and forced settlements to the people who have been living there prior to the occupation;
 - h. Immediately embark on the demilitarisation of the Northern and Eastern areas, and restore civilian administration for all aspects of public life;
 - i. Prioritise the return of internally displaced persons to their homes and provide them all necessary support for their rehabilitation;
 - j. Recognise inter-religious tolerance and concretely work towards establishing a plural, tolerant and secular society;

- k. Provide counselling and other necessary support to help victims cope with trauma and rebuild their lives, including the reintegration of former LTTE cadres;
- l. Constructively engage with the UN, especially the UN Human Rights Council, its Special Procedures mechanism and OHCHR, to carry forward the processes already initiated by the UN, incorporate findings and recommendations into continuing domestic transitional justice efforts and seek assistance and involvement of the UN, other international bodies and experts to ensure adherence to international standards and best practices in domestic initiatives towards accountability, justice and reconciliation.

15. Call on Asian states to:

- a. Recognise the past and ongoing violations of international human rights and humanitarian laws in Sri Lanka;
- b. Work individually and collectively to urge the government of Sri Lanka to cooperate with the international community, including the United Nations, towards accountability and justice in Sri Lanka;
- c. Ensure that their positions in international platforms, especially the UN Human Rights Council, including through voting, are in support of ensuring full accountability for past and ongoing violations in Sri Lanka;
- d. Provide support towards the establishment of lasting peace in Sri Lanka, which can only be achieved through truth, justice and reconciliation.

16. Call on the international community, particularly the United Nations, to:

- a. Continue to stand in solidarity with the struggle for accountability and justice in Sri Lanka;
- b. Ensure that all accountability mechanisms for Sri Lanka take into account the views and aspirations of the victims;
- c. Ensure that the rights and dignity of all refugees from Sri Lanka are upheld at all times and that they are consulted and empowered in decisions relating to them;
- d. Ensure that the long-standing ethnic conflict in Sri Lanka and the right to self-determination in Sri Lanka are resolved in full adherence to international norms and guarantees;
- e. Sustain concern and focus on Sri Lanka at the UN, including in the UN Human Rights Council and its mechanisms;
- f. Ensure that the OHCHR Investigation on Sri Lanka (OISL) report is tabled and published at the 28th Regular Session of the UN Human Rights Council, and that it is taken up for discussion at a later time to ensure that outcomes and recommendations are fully implemented.

17. Resolve to:

- a. Initiate, continue and intensify advocacy efforts inside and outside Sri Lanka;
- b. Advocate with the respective Asian governments, esp. those who are members of the UN Human Rights Council, to positively strengthen their positions towards accountability and justice in Sri Lanka;
- c. Engage with multiple inter-governmental bodies such as the Community of Democracies, Commonwealth, Bali Democracy Forum, European Union, ASEAN and SAARC to further strengthen efforts for accountability in Sri Lanka;

- d. Improve and facilitate people-to-people solidarity in the pursuit of accountability and reconciliation in Sri Lanka;
- e. Engage with a wide range of individuals and groups that work on human rights, peace building and those specialising in rehabilitation for trauma victims.