

High commissioner for human rights hopes new inquiry commission on killings and disappearances in sri lanka will prove effective

United Nations High Commissioner for Human Rights Louise Arbour today welcomed the Sri Lankan President's establishment of a Commission of Inquiry into extrajudicial killings and disappearances, expressing hope that it will see the perpetrators of serious human rights violations brought to justice.

The High Commissioner underlined the significance of this initiative in addressing impunity for human rights violations related to the on-going conflict in Sri Lanka. She noted that the Government has also invited a group of international observers in the form of an International Independent Group of Eminent Persons to monitor, provide advice as requested, and report on the Commission's work.

The High Commissioner thanked the Government for inviting her to provide advice on the terms of reference for the Commission of Inquiry and the observer group in line with international standards. She expressed satisfaction that many of the comments by her Office had been taken into account in establishing the Commission, including the need for witness protection and measures to increase the transparency of the inquiry.

The High Commissioner expressed concern, however, over several shortcomings in the national legal system that could potentially hamper the effectiveness of the Commission of Inquiry, particularly the absence of any legal tradition of establishing command responsibility for human rights violations. She also noted that many recommendations of past commissions of inquiry, including into disappearances, had not yet been fully implemented.

"It will be critically important for the Commission to establish not only individual responsibility for crimes, but the broader patterns and context in which they occur", the High Commissioner said.

The High Commissioner also noted that any commission of inquiry can only investigate a selection of cases, and that a broader international mechanism is still needed to monitor, ultimately prevent, human rights violations in the longer term.

At the invitation of the Government, the Office of the High Commissioner for Human Rights (OHCHR) has submitted a list of names of suitable candidates who could potentially serve as observers to the inquiry. These persons, if selected, would serve in their personal capacities and would not represent the High Commissioner or OHCHR.