



Accountability in Sri Lanka

Report of Panel of Experts appointed by UN Secretary-General and Interview with IMADR President Nimalka Fernando

FEATURE
STORY

The 30-year armed conflict between the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE) ended in May 2009 through arguable usage of heavy armed forces by the government. However, many human rights issues still remain unresolved. One is the issue of accountability. As a reaction from the UN side, UN Secretary-General Ban Ki Moon visited the country and on March 23, 2009, issued a statement with the President of Sri Lanka that included a joint commitment. In the statement, the Secretary-General underlined the importance of an accountability process and the government of Sri Lanka agreed that it would take measures to address grievances. On June 22, 2010, the Secretary-General then appointed a Panel of Experts to advise him on the implementation of the joint commitment and the issue of accountability with regard to any alleged violations of international human rights and humanitarian law during the final stages of the conflict. The members of the Panel are: Marzuki Darusman (Indonesia, Chair of the Panel), Yasmin Sooka (South Africa) and Steven Ratner (United States).

The Panel undertook an assessment of the "nature and scope of alleged violations" by analysing information from various sources, but its mandate does not extend to fact-finding or investigation. An allegation is determined credible if there is reasonable basis to believe that the underlying act or event occurred.

In its report, the Panel states that its "determination of credible allegations reveals a very different version of the final stages of the war than that maintained to this day by the Government of Sri Lanka". While the Government of Sri Lanka says it pursued a "humanitarian rescue operation" with a policy of "zero civilian

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