

Call for Genuine Accountability Initiatives

By Women Affected by War

11th February, 2015

We, as women impacted by war and ongoing post-war violence in Sri Lanka and working on issues of truth and justice, call upon the Government of President Maithripala Sirisena to take immediate steps to address past violations and to initiate credible and independent investigations that lead to indictments and prosecutions of alleged perpetrators. We make this call as women who have been directly impacted by the violence and witnessed numerous domestic initiatives including commissions of inquiry and other investigations that have not lead to holding perpetrators accountable.

In the context of decades of failed domestic processes, we reiterate the importance of the investigation being carried out under the auspices of the Office of the High Commissioner for Human Rights Investigation on Sri Lanka (OISL) established by resolution A/HRC/25/1 titled "Promoting reconciliation, accountability and human rights in Sri Lanka" which we believe is essential in the search for truth and justice in Sri Lanka. We take this opportunity to urge that the findings of the investigation be discussed at the forthcoming 28th Session of the UNHRC leading to a resolution providing a mandate for the High Commissioner to monitor the human rights situation as well as progress on how the findings and recommendations of the OISL inquiry are being addressed.

This appeal is made at a time when the Sirisena Government has promised investigations via credible domestic processes. There was also recognition of the past and the need for healing in its Declaration of Peace made at the 67th Independence Day celebration held on 4th February 2015. We sincerely hope this is a shift in policy in terms of recognizing the past and ending the silence and we take this opportunity to call on the Government to take a strong position in addressing truth and justice in Sri Lanka. While several officials of the new government have made statements regarding domestic accountability processes, there is no information publicly available as to what initiatives and modalities will be used to investigate and hold perpetrators to account. It is also uncertain as to the status of ongoing investigations including the Commission of Inquiry looking into missing persons appointed in August 2013. With its mandate expiring in February 2015, we fear that the over 20,000 complaints received so far will be unaddressed and no information will be publicly known regarding the status of cases. Although the commission has been critiqued for structural and practical flaws, thousands of families searching for missing loved ones went before it in search for answers and for justice. The fact that it may come to a sudden halt is of serious concern to us and makes a mockery of the families who have engaged in the hope for answers.

We also write this appeal at a time when reports suggest that there may be a deferral of the OISL report, with reports even suggesting that Sri Lanka maybe dropped from the agenda of the UNHRC. These are extremely disturbing when the situation in Sri Lanka is still uncertain including whether domestic processes will be credible and can deliver in terms of truth and

justice. We say this having witnessed countless commissions and committees reportedly inquiring and investigating but a cloud of secrecy remains as to whether perpetrators were ever held to account. Victims, survivors and affected communities took significant risks by submitting evidence to the OISL in the hope of justice and accountability, a small glimmer of hope when all else had failed in Sri Lanka. We fear that a delay now in terms of the OISL is a denial of justice and a sign to perpetrators that impunity is acceptable.

The fact that thousands of women have gone before national commissions, committees and courts and appealed to international actors, including the United Nations Working Group on Enforced or Involuntary Disappearances (UNWGEID), is indicative of the undeniable need to know what happened to loved ones and for justice. Despite numerous promises, no independent investigation into serious human rights violations in recent years has resulted in a successful prosecution and conviction of alleged perpetrators in Sri Lanka, a sign of the culture of impunity pervasive in post war Sri Lanka. We therefore call on the international community to engage and support Sri Lanka strive for truth and justice. A first step in this is to discuss the findings of the OISL findings in March 2015 and for UNHRC to provide a mandate for continuous monitoring of the human rights situation in Sri Lanka via the OHCHR. Another important step that can be sequenced is to support domestic credible processes. We believe these are both fundamental in the search for truth, justice and reconciliation in Sri Lanka. We therefore make the following demands from the Government of Sri Lanka and the international community.

To the Government of Sri Lanka

- Constructively engage with the UNHRC and the OISL in terms of the present investigation and for a debate at the forthcoming UNHRC Session.
- Initiate a credible domestic process that includes components of truth telling and trials. In light of the short comings of the present framework, initiate immediate legal and policy reform to introduce processes that are independent and impartial and have the necessary resources and expertise to carry out investigations and inquiries.
- Introduce a victim and witness protection legislation and mechanism.
- Facilitate the pending visits of UN Special Procedures including the UNWGEID
- Initiate a comprehensive reparations program that addresses the grievances of affected communities

To the International Community

- Table the OISL report and discuss Sri Lanka at the 28th Session of the UNHRC.
- Pass a resolution at the 28th Session of the UNHRC which provides the High Commissioner the mandate to monitor progress of domestic initiatives in Sri Lanka and to annually report to the UNHRC.
- The OHCHR should provide technical and other support to the Government of Sri Lanka in terms of moving forward with credible domestic processes.

Signatures:

Individuals

1. A. Arputhaseeli
2. A. Mariyai
3. A. Yogamma
4. Ameena Rahman - Shirkat Gah, Pakistan
5. Amie Joof – FAMEDEV – Inter-Africa Network for Women, Media, Gender and Development (Le Réseau Inter Africain Des Femmes, Médias, Genre et Développement), Dakar, Senegal
6. Anoma Wijewardena
7. Astou Nathalie - SIDIBE/Women Leaders for Sustainable Development Organisation/MALI
8. Ayesha Imam - Nigeria
9. Ayeshea Perera
10. Azra Abdul Cader
11. Bhavani Fonseka - Attorney-at-Law
12. Caryl Tozer
13. Cayathri D.
14. Cecilia Milesi - Global Change, Argentina
15. Charlotte Bunch - Rutgers University
16. Charmaine Pereira - Nigeria
17. Chulani Kodikara
18. D. Selvarani
19. Damaris Wickremesekera
20. Diana Garcia – Claritas, Argentina
21. Diana P. Quintero – Directora, GAPI (Grupo de Acciones Públicas de Icesi), Universidad Icesi de Cali - Colombia
22. Donna Swita Hardiani - Solidaritas Perempuan (Woman's Solidarity of Human Rights), Indonesia
23. Dr. Joan Nyanyuki - Coalition on Violence Against Women, Kenya
24. Dr. Selvy Thiruchandran
25. E. Nirmala
26. E. Puwaneswari
27. E. Santhapillai
28. E. Thiresa
29. Edna Musu Jasst - Gambia Radio & Television Services
30. Fahima Hashim - Salmah Women Resource Centre, Sudan
31. Faizun Zackariya - Citizens for Justice and Peace
32. Fatima Allian - Nisa Ul Haqq fi Bangsamoro, Phillipines
33. Fatou Sow - Senegalise Sociologist/Activist - WLUML
34. Githanjali Amarsingham Algama
35. Haddy Jonga - Gambia
36. Hasina Khan - Muslim Women's Right Network
37. Jayanthi Kuru-Utumpala
38. Jayasingam. T - Eastern University of Sri Lanka

39. Jensila Majeed - Mullaitheevu
40. Jeyantha G. Selvarasa - Mannar
41. Jeyatheepa P. Morthy - Batticaloa
42. Joyce Neu - Facilitating Peace, USA
43. Juwairiya Mohindeen - Puttalam
44. K. Kavitha
45. K. Parvathi
46. K. Pushpa
47. K. Rajaledsumi - Batticaloa
48. K. Sivaneswari
49. Kalani Subasinghe
50. Kalyani Ramnath - Princeton University
51. Kamala Vasuki - Batticaloa
52. Kanahalingam Vickneshwari
53. Kanapathipillai Manonmani
54. Kanthasamy Ponnamma
55. Kanthasamy Thevi
56. Kheloud El Sayed - Egypt
57. Kim Thuy Seelinger, JD - Human Rights Center, University of California, Berkeley, School of Law
58. Krishnapriya - Trincomalee
59. Kuhanithi Kuhaneshan
60. Kurushanthan Mahaluxmy - Mannar
61. Lin Chew - Institute for Women's Empowerment, Hongkong
62. Lina Fernanda Buchely - Universidad Icesi, Cali – Colombia
63. Luz Mendis - National Union of Guatemalan Women
64. Lydia M. Muthiani - Deputy Executive Director/Programmes Manager, Coalition on Violence against Women (COVAW), Kenya
65. M. Reeta
66. M. Sebamalai
67. M. Sumanavathi
68. M. Thiresamma
69. M. Uthaya Santhira
70. M. Vimaladevi
71. M.A. Johnpillai
72. Mariam Kirollos - Egypt
73. Mariana Ballesterro - Executive Director, Vientos del Sur, Argentina
74. Marieme Helie Lucas - Algerian Sociologist and Founder of WLUML
75. Marisa de Silva
76. Maryam Namazie - One Law for All and Fitnah – Movement for Women's Liberation
77. Monica Alfred
78. Nadia El Fani - Tunisian Film Maker
79. Najia Munira Akhunzada - South Asian Feminist Alliance, Afghanistan
80. Nimalka Fernando - Women's Political Academy
81. Nishanthini G. Starlin - Mannar
82. Olenka Ochoa - FEMUM- ALC Council Board Federation Mujeres & Municipalidades A. Latina y Caribe

83. P. Francisca
84. P. Manjula
85. P. Periyaaththa
86. P. Pushparani
87. Paneerchelvam Pushparani
88. Pragna Patel - Southall Black Sisters
89. Priti Darooka - Executive Director, The Programme on Women's Economic, Social and Cultural Rights
90. R. Mary Emakulet
91. R. Subaletchumi
92. Radha Paudel - Action Works Nepal
93. Radhika Hettiarachchi
94. Rajany Chandrasegaram - Jaffna
95. Ramin Forghani – Founder, Ex-Muslims Scotland
96. Rehana Wagh - Mauj Development Foundation, Pakistan
97. Renu Alehendiram - Trincomalee
98. Rev. Sr. Noel Christine Fernando - Sramabimani Sansadaya
99. Rohana Jayaratne
100. S. Bernabeth
101. S. Mariya
102. S. Nageswari
103. S. Rajaluxmy - Mullaithivu
104. S. Sri Tharuni - Batticaloa
105. S. Subashini
106. S. Thayarani - Trincomalee
107. S. Thiresamma
108. S. Victoriya
109. S. Vijitha
110. S. Vimalarani
111. Sally Zohney - Egypt
112. Saman Rizvi - Shirkat Gah, Pakistan
113. Sandya Ekneligoda
114. Sarjo Camara – President, Women Journalist's Association, The Gambia
115. Sebathian Mariya Jasintha
116. Seynabou Male Cissé - Coordinatrice du CRSFPC/USOFORAL.wfd, Sénégal
117. Shanmuganathan Maya Shanthi
118. Sharmila Daluwatte - Women's Alliance for Peace and Democracy
119. Sherine Xavier
120. Shreen Saroor
121. Sugathini Theivendram - Killinochchi
122. T. Mathuri – Attorney-at-Law
123. Thirunawakkarasu Mangeleshwari
124. Thiruni Kelegama
125. V.V. Ganeshanathan
126. Vanie Simon - Ampara
127. Vanitha Mahendran - Vavuniya
128. Venuri de Silva

129. Visakha Tillekeratne - Citizens for a Secure Sri Lanka
130. Yamini Ravindran – Attorney-at-law
131. Yogarasa Kanaha Ranjani
132. Zarina Salamath - Pakistani Peace Activist
133. Zeinab Blandia (Ph.D) - Centre Reines Daura des Ressources pour la Promotion, le Développement et le Rayonnement de la Femme Nigérienne

Organizations

134. Asian Federation Against Involuntary Disappearances (AFAD)
135. Association for War Affected Women (AWAW)
136. Association for Women's Rights in Development (AWID)
137. Association of Families Searching for their Disappeared Relatives, Vanni
138. Association of Parents of Disappeared Persons (APDP) - Jammu and Kashmir
139. GREFELS - Groupe de Recherche sur les Femmes et les Lois au Senegal
140. International Relations Research Center (NUPRI/USP), University of Sao Paulo, Brazil
141. Jaffna Women's Action Network
142. Jammu Kashmir Coalition of Civil Society
143. Lanka Solidarity
144. Mannar Citizen's Committee (MCC)
145. Mannar Women's Development Federation
146. Mothers and Daughters of Lanka
147. Mulaitheevu Women's Development Federation (MWDF)
148. Muslim Women's Development Trust (MWDT), Puttalam
149. Non-Violent People's Movement
150. SAMADANA/M- Centre for Promoting Non-Violent Conflict Resolution, Handling and Peace Building
151. Voluntary Service Development Organisation for Women, Trincomalee
152. Women living under Muslim law
153. Women's Action Network (WAN), Sri Lanka