



## **Tom Lantos Human Rights Commission**

### **Accountability and Human Rights in Sri Lanka**

**Wednesday, December 8th, 2021**

**03:30 – 05:00 p.m.**

#### **Rep. Deborah Ross opening statement as prepared for delivery**

Thank you, Mr. Chair, for working with my office to organize this hearing. For as long as I've been in elected office, I have been hearing from Tamil constituents, many of whom fled Sri Lanka due to ethnic violence, about ongoing human rights violations in the country.

It's a privilege to be here to discuss these matters and to have the opportunity to learn from the expert witnesses here today.

The 26-year civil war in Sri Lanka officially concluded on May 18, 2009. This conflict was marked by egregious human rights abuses from both sides: the Liberation Tigers of Tamil Elam (LTTE) reportedly used civilians as human shields, and government forces have been accused of attacking civilians in safe zones, as well as murdering, torturing, and disappearing government critics and LTTE supporters.

These violations, particularly those committed by government forces, were not adequately addressed by the international community. After the war ended, the UN Secretary-General established a Panel of Experts on accountability in Sri Lanka, which found that some UN agencies and individuals had failed in their mandates to protect civilians, had under-reported government violations, and had suppressed reporting efforts by their field staff.

The Panel concluded that the UN “did not adequately invoke principles of human rights that are the foundation of the UN but appeared instead to do what was necessary to avoid confrontation with the government.”

Former President Obama wrote in his memoir, *A Promised Land*, that consensus among the five permanent members of the UN Security Council can be difficult to find, which ultimately hampers the UN's ability to act. He wrote, “Member states lacked either the means or the

collective will to reconstruct failing states like Somalia, or prevent ethnic slaughter in places like Sri Lanka.”

Unfortunately, the end of the civil war did not end human rights abuses in Sri Lanka.

Following the 2019 Easter bombings, which killed over 250 people in Sri Lanka, Gotabaya Rajapaksa ran for president on a platform of national security and tackling terrorism.

However, his administration’s anti-terrorism measures rely on oppressive and authoritarian tactics, marginalizing the Tamil and Muslim minorities in Sri Lanka. The Prevention of Terrorism Act in particular facilitates the arbitrary detention and torture of ethnic and religious minorities.

The Rajapaksa administration has also turned a blind eye to past abuses, elevating individuals implicated in war crimes to senior governmental positions and even going so far as to pardon a convicted war criminal, who was found guilty of slitting the throats of eight Tamil civilians, including a five-year-old child.

It’s heartening that the international community has begun to take a stronger stance against human rights violations in Sri Lanka than it did during the civil war.

In January of this year, the UN Office of the High Commissioner released a report describing disturbing trends in Sri Lanka. These trends include the militarization of government functions, ethno-nationalist rhetoric, and intimidation of civil society, which could set the nation on a path towards a recurrence of widespread human rights violations.

Upon releasing this report, the High Commissioner, Michelle Bachelet, said, “Given the demonstrated inability and unwillingness of the Government to advance accountability at the national level, it is time for international action to ensure justice for international crimes.”

In March of 2021, the UN Human Rights Council passed a resolution aimed at uncovering human rights abuses during Sri Lanka’s civil war. Notably, the resolution enables the Office of the High Commissioner to collect, consolidate, analyze, and preserve information and evidence related to violations of international and human rights law.

I am hopeful that this step at the UN is the beginning of a renewed international effort to promote peace, justice, and accountability in Sri Lanka and to prevent a recurrence of ethnic violence.

Thank you.