



Attorneys Argue Sri Lankan General Silva Not Entitled to Immunity from War Crimes Lawsuit, as Ten International Human Rights Groups Urge UN to Suspend Silva’s Diplomatic Credentials

NEWS RELEASE

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WASHINGTON, D.C., NOV. 9, 2011 – Attorneys yesterday filed a formal response to Sri Lankan Major General Shavendra Silva’s motion to dismiss the war crimes lawsuit against him in the Southern District of New York. Today, international human rights groups united to urge the United Nations to suspend the credentials of Silva, who is Sri Lanka’s Deputy Permanent Representative to the United Nations. Silva is facing allegations in federal court for war crimes including torture, extrajudicial killing and the intentional shelling of civilians during Sri Lanka’s armed conflict. A copy of the attorneys’ response and the organizations’ letter can be found online at www.speakhumanrights.org.

“The United Nations has a war criminal within its ranks. This is a moral and legal offense,” said Ali Beydoun, director at American University Washington College of Law’s UNROW Human Rights Impact Litigation Clinic and a Senior Partner at SPEAK Human Rights & Environmental Initiative. “As the largest international body protecting peace and justice, the United Nations has a duty to allow a full investigation into General Silva’s war crimes. Silva should not be allowed to manipulate diplomatic immunity to use it as a shield for his crimes.”

Beydoun is lead counsel in the pending lawsuit against Silva for the extrajudicial killing of a civilian in the Army’s bombing of a hospital and for the torture and extrajudicial killing of a person *hors de combat* in the final stages of Sri Lanka’s armed conflict.

“Overwhelming evidence showing that the Government of Sri Lanka perpetrated war crimes and crimes against humanity compels the suspension of General Silva’s credentials,” ten human rights organizations including the European Center for Constitutional and Human Rights, Human Rights USA, World Organisation Against Torture (OMCT), Center for Constitutional Rights, TRIAL, the Yale Law School’s Allard K. Lowenstein International Human Rights Clinic, the Campaign Against Criminalising Communities and the Society for Threatened Peoples wrote in a joint letter addressed to Secretary-General Ban Ki-moon. “Permitting General Silva to retain his credentials would send a message to law-breaking governments around the world that the United Nations will not defend the cause of justice and that it will shelter war criminals and perpetrators of mass atrocities.”

Instead of investigating the war crimes committed by the Sri Lankan Army, the Sri Lankan Government has been sheltering military officers with diplomatic positions. Sri Lanka has posted 22 former high-ranking military officials to diplomatic posts around the world. This has catalyzed international efforts for justice for Tamil victims in Sri Lanka. Litigation similar to the suit against General Silva has sprung up in domestic courts around the world, including Germany, Switzerland and Australia. A global movement for accountability for Sri Lanka’s war criminals is building.

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