

උතුරු පළාත් මුදල් හා කුමසම්පාදන, නීතිය හා සාමය, ඉඩම්, මාර්ග සංවරධන, විදුලිබල, නිවාස හා ඉඳිකිරීම්, ජල සම්පාදන, සමුපකාර සංවරධන, සමාජ සේවා හා පුනරුත්ථාපන, කාන්තා කටයුතුණි කර්මාන්ත හා වඅවසාය පුවරධන, සංචාරක, පළාත් පාලන හා, පළාත් පරිපාලනය සහ ආහාර සැපයුම් හා ගෙදානැරීමේ අමාතඅවරයා

Minister of Finance & Planning, Law & Order, Lands, Road Development & Electricity, Housing & Construction, Water supply, Co-operative Development, Social Service & Rehabilitation, Women's Affairs, Industries and Enterprise promotion, Tourism, Local Government and Provincial Administration, Food supply and Distribution.

எனது இல මගේ අංකය My No

NP/CM/01/0226/2015

Your Excellency!

Statement from Chief Minister, Northern Province, Sri Lanka

I welcome the fact that the United Nations Human Rights' Council is expected to adopt a resolution on 'Promoting Reconciliation, Accountability and Human Rights in Sri Lanka".

I hope that it will mark the beginning of a new process which can lead to truth, justice for the victims and political solutions to long-standing divisions and inequalities in our Country: a process which is in the interests of all the communities of Sri Lanka.

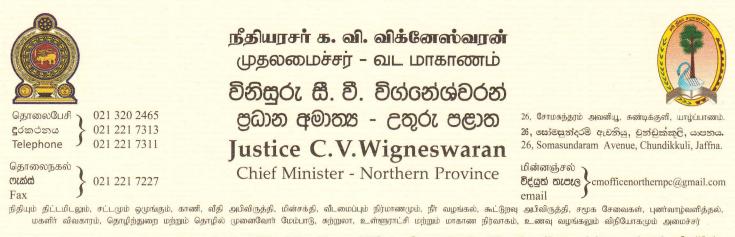
But, not only as the Chief Minister of the Northern Province which experienced the brunt of the Human Rights' violations and War Crimes in recent times but also as a retired Judge of the Supreme Court of Sri Lanka, I remain deeply concerned about some of the serious weaknesses in the resolution which unless addressed could lead to the failure of this whole process.

It is clear that – as the High Commissioner for Human Rights himself made clear in his recommendations on the OISL report - a domestic court procedure will have no chance of overcoming "widespread and justifiable suspicions fuelled by decades of violations, malpractice and broken promises." But instead of calling for the establishment of a credible hybrid court in line with the HC's recommendation, the resolution merely suggests that a "Sri Lankan judicial mechanism" should have the participation of Commonwealth and other foreign judges, lawyers, prosecutors and investigators.

Foremost among the concerns in this regard is the process to be adopted to bring in the International Laws which are not part of our local legal system into currency in this Country. Secondly any attempt to place the responsibility of Prosecuting in the hands of any local Prosecutor can never bring justice to the victims. I refer to the IIGEP Report which spoke very disparagingly of our Attorney General's

• Department. Even if a foreign Prosecutor in the caliber of the ICC Prosecutor were to be nominated it would be the members of the local Attorney General's Department who would be his officials in

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උතුරු පළාත් මුදල් හා කුමසම්පාදන, නීතිය හා සාමය, ඉඩම්, මාර්ග සංවර්ධන, විදුලිබල, නිවාස හා ඉඳිකිරීම්, ජල සම්පාදන, සමුපකාර සංවර්ධන, සමාජ සේවා හා පුනරුත්ථාපන, කාන්තා කටයුතුණි කර්මාන්ත හා වඅවසාය පුවර්ධන, සංචාරක, පළාත් පාලන හා පළාත් පරිපාලනය සහ ආහාර සැපයුම් හා ගබදානැරීමේ අමාතුඅවරයා

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this regard. Thirdly the need to ensure that local Judges would not be able to veto or undermine the decisions of the foreign Judges has to be emphasized.

Thus the importance of creating a mechanism which can gain the support and confidence of the victims cannot be overemphasized. The resolution's failure to clearly propose such a mechanism is a matter of grave concern.

The resolution is important in that it sets a number of markers and makes a number of key recommendations – but it largely relies on the goodwill of the government to implement those recommendations. Regrettably the government's successful attempt to remove from the resolution several key references to ongoing abuses of human rights, the militarization of the north and east and other key issues does not inspire confidence in that goodwill.

This resolution is a step forward, but it is clear that only with the most rigorous monitoring and proactive involvement of the international community will it lead to the kind of progress which all the communities of Sri Lanka deserve:

Last week the United Nations launched its seventeen "sustainable development goals" for 2030 - a follow-up to the millennium goals of 2000. Goal sixteen is as follows – "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels" The international community has the opportunity to see that those principles are applied in Sri Lanka – but it will require full and ongoing engagement, support and monitoring to ensure the promise made to the victims by the High Commissioner's Report on Sri Lanka, is honoured. Thank you.

Yours Sincerely

Justice C.V.Wigneswaran Chief Minister Northern ProvinceNorthern Provincial Council Sri Lanka Jaffna