



PEARL statement on the resolution on Sri Lanka at UNHRC51

Washington D.C.; October 6, 2022 – Earlier today, the UN Human Rights Council (the ‘Council’) successfully passed the resolution on Sri Lanka during its 51st session. PEARL continues to support the Council’s engagement on seeking justice and accountability in Sri Lanka, and welcomes the increased push for justice through the reinforced and extended mandate of the Office of the High Commissioner of Human Rights (the ‘OHCHR’) and the Sri Lanka Accountability Project (the ‘SLAP’). This is a step in the right direction towards justice and accountability for war crimes, crimes against humanity, and genocide committed by the Sri Lankan state against the Tamil people.

The Sri Lankan state’s consistent failure and refusal to ensure acceptable accountability for past and ongoing crimes should have resulted in a stronger and more critical resolution with explicit mention of the grievances and demands of the Tamil people, and their ongoing calls for international accountability mechanisms. Furthermore, the resolution has failed to address Sinhala-Buddhist nationalism as the root cause of the conflict and ongoing instability on the island, and the need for a sustainable political solution for the Tamil people. Nevertheless, the reinforced mandate of the OHCHR and the SLAP, namely to enhance the monitoring and reporting of the human rights situation in Sri Lanka and to collect and preserve evidence of serious violations of international law, is an important development towards justice. Sri Lanka continues to strongly reject even this limited measure of accountability, and maintains false narratives of “progress” on reconciliation and peace on the island.

Despite the adoption of the resolution, PEARL remains concerned by the heavy focus on Sri Lanka’s current economic crisis at the Council. We remind the Council that it is Sri Lanka’s failure to ensure accountability for the mass atrocity crimes committed by the Sri Lankan state, especially during the final stage of the armed conflict in 2009, that keeps Sri Lanka on the international agenda. The current economic crisis is not a standalone development, but rather tied to the extreme impunity, widespread militarization, and deeply entrenched Sinhala-Buddhist nationalism that exists on the island. Stakeholders must not undermine the Tamil victim-survivor community’s decades-long efforts and engagement with the Council by using the economic crisis to discourage Member States from supporting the resolution, or to deflect from the root causes of the current crisis.

The Tamil victim-survivor community has already shared a substantial amount of evidence of the crimes committed against them. Since being failed by the United Nations and the international community during the height of the war, Tamils’ continued engagement with the Council and the international community has been met with little progress for Sri Lanka’s mass atrocity crimes. We strongly remind the international community that the evidence gathered through these mandates should be effectively used to initiate proceedings against the Sri Lankan state and alleged perpetrators in international courts, including the International Criminal Court and the International Court of Justice.

We call on the international community to dedicate resources to building cases against, investigating, and prosecuting alleged perpetrators for war crimes, crimes against humanity, and genocide. In cooperation with the accountability mandate, the United Nations and Member States must take meaningful and decisive steps beyond the Council over the next two years to hold the Sri Lankan state and perpetrators accountable. Tamil victim-survivors cannot be kept waiting any longer for justice and accountability.