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SRI LANKA: ALLEGATIONS AGAINST NEW ARMY CHIEF OF STAFF HIGHLIGHT THE URGENT NEED TO ADDRESS IMPUNITY

The serious allegations against Major General Shavendra Silva, who has been appointed as Chief of Staff of the Sri Lankan Army, highlight the urgent need for thorough, impartial, independent and effective criminal investigations into war crimes and crimes against humanity committed during the armed conflict.

Vetting of military personnel is furthermore needed as an important feature of post-war security sector reform to guarantee against future violations.

As the Commander of the 58th division of Sri Lanka Army during the final phase of the armed conflict in 2009, Major General Silva oversaw the division during a period in which it was alleged to have committed violations of international humanitarian law and international human rights law.

An investigation into alleged serious violations and abuses of human rights and related crimes by both parties to Sri Lanka's armed conflict was undertaken by the United Nations Office for the High Commissioner for Human Rights (OHCHR) in 2014. The report of the investigation published in 2015 sets out credible allegations that war crimes and possibly crimes against humanity were committed by the Sri Lankan army, including enforced disappearance, torture, directing attacks against civilian objects (including hospitals) and civilians not taking part in hostilities, and extra-judicial killings of surrendering combatants.

Major General Shavendra Silva's appointment comes at a time when Sri Lanka is making slow progress in fulfilling its commitment to deal with the past allegations of human rights and humanitarian law violations.

In 2015 the government of Sri Lanka co-sponsored United Nations Human Rights Council resolution 30/1 which called for "effective security sector reforms as part of its transitional justice process" and endorsed the Sri Lankan government's

proposal “to establish a judicial mechanism with a special counsel to investigate allegations of violations and abuses of human rights and violations of international humanitarian law.”

While the government has made some progress establishing mechanisms towards ensuring truth and reparation for victims, it has thus far failed to take effective measures towards investigating the alleged crimes and, where sufficient admissible evidence exists, prosecuting those accused of responsibility.

Amnesty International urges the government of Sri Lanka embark on its commitments on justice and security sector reform to ensure effective remedies for the victims and non-recurrence without further delay.