

## **Our commitment to struggle together against enforced disappearances**

Enforced disappearances are one of the gravest crimes against humanity and should not be tolerated under any circumstances. One of the worst aspects of a disappearance, from the point of view of the family, is the unending grief, due to the lack of official acknowledgement of the fact that a loved one has actually disappeared, leaving no trace of what has happened to them.

October 27<sup>th</sup> 1989 was the day that Free Trade Zone worker Ranjith was shot and burnt at Raddoluwa junction. The killing of his legal advisor and the FTZ workers, and thousands of others who disappeared during that time, has been commemorated annually on 27<sup>th</sup> October since 1991.

Today, on 27<sup>th</sup> October 2007, 18 years after that tragic event, we have come together as family members of those subjected to enforced disappearances, in the late 1980s, 1990s and in 2006-2007, as Sinhalese, Tamils and Muslims, and other concerned individuals and groups, to share our grief, to stand together and to voice our opposition to this dreadful phenomenon that continues to grip our country.

Sri Lanka, home to great religious and spiritual traditions, first came to be known internationally as one of the countries in the where enforced disappearances happen on a mass scale in the late 1980s, particularly in the South of the country. This was in the context of the then regime's brutal crackdown on the JVP insurgency, and young Sinhalese men were the main victims. In the 1990s, enforced disappearances became a regular occurrence in the North and East of the country, this time, in the context of successive regimes' attempts to deal with Tamil militancy. This time, Tamil men and women were the main victims. The ceasefire of 2002 gave hope that these would finally come to a halt, but even as the international community said a firm NO to enforced disappearances by adopting the UN International Convention against Enforced Disappearances, this grave human rights violation reared its ugly head again in Sri Lanka, this time in the North, East and South of the country.

We know that a number of commissions and committees had been appointed to look into disappearances since the 1990s up to 2007. But some of their most important reports have not been published. Their recommendations have been ignored. Investigations and prosecutions have not been pursued based on their findings and, as a result, disappearances continue to happen on a large scale till today.

It is our wish that other families in Sri Lanka, and indeed all over the world, will never have to endure the immense pain inflicted on us by the enforced disappearances of loved ones, and not knowing what happened to them for years and years.

In addition to the enduring pain of losing loved ones, we note with sadness that family members of disappeared have to continue to struggle to live in dignity till today. We are pained to know that some family members, who wanted to attend this event today, could not so due to poverty. Recommendations of government appointed commission and our own work has not been able to ensure reasonable and equitable compensation, other assistance and justice for family members of the disappeared.

It is with great regret that we realize that our past work against this phenomenon has not been enough to put a stop to this heinous crime against humanity.

Today, as family members of disappeared, human rights defenders, academics, political party representatives and Sri Lankans, we commit ourselves to join hands to continue this struggle. In particular, we committee ourselves to work together with family members of those disappeared, whether they are Sinhalese, Tamil or Muslim from all parts of the country.

We also take this opportunity to call all those responsible for enforced disappearances to immediately halt this terrible practice.

In particular, we call on the government to:

1. Acknowledge the large number of disappearances that have been reported since 2006, conduct credible investigations, prosecute alleged perpetrators and inform all concerned, particularly family members of disappeared, as to what had happened;
2. Not to heap further suffering on the family members by dismissing complaints on disappearances;
3. Immediately make public unpublished reports submitted to the President by various commissions of inquiry – in particular, the report presented by the Mahanama Tillekeratne Commission in 2007 and the unpublished sections of the report by the All Island Presidential Commission of Inquiry to inquire into enforced disappearances that was appointed in 1998 and presented to the then President in 2002;
4. Pay attention to the welfare of family members of the disappeared in late 1980s and 1990s, particularly by ensuring that they are given adequate compensation and other forms of assistance without any sort of discrimination
5. Take immediate steps to implement the recommendations made by the various Presidential Commission of Inquiries appointed to investigate enforced disappearances and the UN Working Group on Enforced and Involuntary Disappearances;
6. Amend the Penal Code to include the crime of disappearance and the concept of command responsibility within it;
7. Accept offered international assistance to address the issue of enforced disappearances by responding positively to the pending request since 2006 by the Working Group on Enforced Disappearances to visit the country;
8. Ratify UN International Convention Against Enforced Disappearances.
9. Establish an office of the UN Office of the High Commissioner for Human Rights (OHCHR) in Sri Lanka, which will help to prevent disappearances, help to address cases of disappearances and give a sense of security to family members and human rights defenders

#### With the Solidarity of the Families Of the Disappeared

1. Center for Peoples Dialogue
2. Center for society and Religion
3. Deevera Diriya Organization – Dickwella
4. Human Rights Citizen's Committee
5. Human Rights organization – Athugalpura
6. Inform
7. Law and Society Trust
8. Neelan Thiruchelvam Trust
9. Organization of the Members of the Disappeared Families
10. Right to Life Human Rights Center
11. Rights Now
12. Samagi Kirieme saha Sama Anshya
13. SETIK – Kandy
14. United Socialist Party
15. Young Christian Workers

27<sup>th</sup> October 2007, Katunayakem Sri Lanka

Commemoration on enforced disappearances and seminar