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ALHR Calls on Panel of Experts to recommend Full and Effective Inquiry into War Crimes in Sri Lanka

“The panel of experts appointed by the Secretary-General of the United Nations, [Ban Ki-moon](#), to advise him on accountability issues for the events in Sri Lanka during the period of civil war should recommend that the United Nations set up a properly resourced, independent and transparent inquiry into possible war crimes”, the President of [Australian Lawyers for Human Rights](#) (“ALHR”), Stephen Keim, said today. “The inquiry should address actions by the Sri Lankan government and its authorities and the actions of the defeated [Liberation Tigers of Tamil Eelam \(“LTTE”\)](#). The inquiry should have the power to recommend criminal prosecution for war crimes and crimes against humanity before a properly constituted and fairly run criminal tribunal”.

ALHR, last week, forwarded a submission to the Panel of Experts. The submission draws upon the work of respected non-government organisations (“NGOs”) such as the [International Crisis Group](#); [Amnesty International](#); and [Human Rights Watch](#). The submission argues that there is ample credible evidence available pointing to the commission of crimes such as the deliberate targeting of civilian populations and humanitarian workers and the killing of captives to justify setting up a properly resourced inquiry. The submission argues that the inquiry should be set up despite the likelihood that no cooperation will be forthcoming from the Sri Lankan government. “Evidence has already been gathered by non-government organisations in Sri Lanka and in Australia as well in other countries without cooperation from the Sri Lankan government at this point”, said Mr. Keim. “A properly resourced international inquiry would be able to receive the evidence that has been gathered and continue the process.”

“The Australian government should support the setting up of an inquiry”, said Mr. Keim. “The government should also assist by carrying out its own investigations. Up to this time, Australia seems to have shown greater concern about collaborating with the Sri Lankan authorities to deter asylum seekers attempting to travel to Australia. However, since many

asylum seekers and persons already granted asylum are from the areas where conflict was carried out, they are people who can potentially assist any future international inquiry.”

“It is an important part of the Nuremberg heritage that we all carry that those responsible for serious war crimes are made accountable”, said Mr. Keim. The other important aspect of that heritage is that any court or tribunal which hears allegations of war crimes be conducted fairly and with all necessary procedural safeguards. The obvious candidate to hear any recommended prosecutions is the International Criminal Court. Since Sri Lanka is not a party to the [Rome Statute](#), it would be necessary for the Security Council to make a referral. A well conducted inquiry would support the case for such a referral to be made,” said Mr. Keim.

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