

ADVANCE QUESTIONS TO SRI LANKA Add.1

CANADA

- Canada understands that the 17th amendment to the Constitution requires that the President appoint a Constitutional Council, with a view to ensuring the independence of key protection institutions such as the Sri Lankan Human Rights Commission, police and prison oversight bodies, and others. Could the government of Sri Lanka provide an update on the government's implementation of the 17th amendment? Canada recommends that Sri Lanka take steps to safeguard the independence of key protection institutions, including through implementation of the 17th amendment.
- Various international and domestic observers such as the High Commissioner for Human Rights, the High Commissioner for Refugees, and Sri Lankan civil society have noted with concern threats to humanitarian workers and the need for safe and unhindered humanitarian access to populations in need. In the government of Sri Lanka's assessment, what are the key obstacles to ensuring protection of civilians? Canada recommends that the Government of Sri Lanka take all necessary steps to ensure the protection of civilians and humanitarian workers, and safe and unhindered humanitarian access to populations in need.
- National Human Rights Institutions play an important role in the promotion and protection of human rights. Canada notes that the Human Rights Commission of Sri Lanka has been accredited by the International Coordinating Committee at the observer level ("level B"). The International Coordinating Committee's rules of procedure indicate that observer status is granted where a National Human Rights Institution is not fully in compliance with the Paris Principles, or insufficient information has been provided to make a determination. What steps are being taken to bring the Sri Lankan Human Rights Commission into conformity with the Paris Principles? Canada recommends that the Government of Sri Lanka take the necessary steps to ensure the independence of the Sri Lankan Human Rights Commission, and that it has the independence and funding required to ensure that it is able to effectively carry out its mandate.
- The Office of the High Commissioner for Human Rights (OHCHR) offers considerable assistance on human rights issues to countries around the world. Could the Government of Sri Lanka provide an update on the status of any assistance offered to it by the OHCHR? Canada recommends that the Government of Sri Lanka accept the assistance of the Office of the High Commissioner for Human Rights and allow it a mandate to report on human rights throughout the country. While hostilities are ongoing, a mechanism that is fully independent is all the more critical.
- The TVMP with which the Government of Sri Lanka has a close affiliation continues to have child soldiers within its ranks. What are the Government of

Sri Lanka's plans and timetable to ensure that all groups with which it is to release all child soldiers and stop recruiting minors?

- The Defence Secretary has stated that all armed groups in the East will be disarmed. Can the Government of Sri Lanka provide information on its plan of action and timetable to fulfil the Defence Secretary's undertaking, especially given the upcoming May 10 provincial council elections?
- Evidence given during public hearings of the Presidential Commission of Inquiry has implicated members of the Government and security forces in the ACF and Trinco Five murders. What steps is the Government of Sri Lanka taking as a result of the Commission?

GERMANY

- Germany deeply regrets the Sri Lankan Government's decision to abrogate the ceasefire agreement concluded with the LTTE in 2002 as well as the decision to terminate the Sri Lanka Monitoring Mission (IIGEP) by the end of March 2008. Which concrete measures does the Government of Sri Lanka intend to take to compensate for the void created by these developments in terms of monitoring and effectively addressing human rights violations committed in the wake of ongoing civil war hostilities and in anti-terror strategies?
- With regard to chapter I, number 3 of the OHCHR's compilation (A/HRC/WG.6/2/LKA/2) Germany notes the regret expressed by the Special Rapporteur on torture on the decision by the sub-committee on accreditation of the International Coordinating Committee (ICC) of National Human Rights Institutions to downgrade the status of Sri Lanka's National Human Rights Commission NHRC (from "A" to "B" status) resulting inter alia in a loss of the right to participate in the Human Right Council (HRC) and other HR fora: What is being done to restore the
- credibility of the Sri Lankan domestic institutions for the protection and enforcement of human rights?
- With regard to chapter II, number 3 of the OHCHR compilation (A/HRC/WG.6/2/LKA/2) Germany takes note of the ongoing efforts of the OHCHR to explore ways to reinforce its presence in the country. Is the Government of Sri Lanka prepared to reconsider its position to accept UN human rights monitors/ an independent office of the OHCHR on the ground as essential prerequisites to better address the deteriorating human rights situation and to support Sri Lanka in fulfilling its treaty obligations to protect the civilian population from human rights violations and to put an end to the culture of impunity for the perpetrators of HR violations?

NETHERLANDS

- We welcome the National plan of action the GoSL has mentioned in the National Report. Which measures will the Government take to ensure the effectiveness and independence of these institutions?
- How will the GoSL ensure the ability of existing relevant institutions to adequately safeguard against violations of human rights and serious violations of international humanitarian law in the short and longer term?
- During the visit of the EU-Troika the following subjects were discussed: progress in addressing human rights abuses including prosecution of offenders; humanitarian access for NGO's; access to Kilinochchi for Co-Chairs and UN. Which steps will the GoSL undertake to see to these issues?