

UNITED NATIONS
OHCHR INVESTIGATION
ON SRI LANKA (OISL)

Based on OHCHR Pages on OISL



MANDATE AND REPORTING OBLIGATIONS

The investigation is based on...

- UN HRC Resolution A/HRC/25/1 adopted in March 2014
- OHCHR to “undertake a comprehensive investigation into alleged serious violations and abuses of human rights and related crimes by both parties in Sri Lanka during the period covered by the Lessons Learnt and Reconciliation Commission (LLRC)
- And to establish the facts and circumstances of such alleged violations and of the crimes perpetrated with a view to avoiding impunity and ensuring accountability, with assistance from relevant experts and special procedures mandate holders”.

DELIVERABLES & DEADLINES

- Oral update at its 27th Session of the HRC
(08 Sept 2014 to 26th Sept 2014)
- Submissions deadline **30 October 2014**
- Comprehensive report on the investigations
28th Session of the HRC (March 2015)

Key Dates to Remember

TIME FRAME (PERIOD COVERED)

- From 21 February 2002 until 15 November 2011 (LLRC Period)
- OISL will also take into consideration any contextual and **other relevant information that may fall outside this timeframe** which may provide a better understanding of events regarding continuing human rights violations.

LEGAL FRAMEWORK

- OISL requires it to undertake investigations into alleged serious violations and abuses of human rights and related crimes by both parties to the conflict.
- Investigation will comprise of all obligations assumed by Sri Lanka under international human rights treaties and those applicable **under customary international law**.
- Although a non-state actor cannot formally become party to human rights treaties, it is now increasingly accepted that non-state groups exercising de facto control over a part of the State's territory must respect certain human rights obligations of persons in that territory.
- Will make necessary the application of international humanitarian law, in particular provisions of the Geneva Convention relevant to non-international armed conflicts, to measure the conduct in the conflict of both the Government and non-state armed groups.
(During this particular internal armed conflict)
- This mandate also requires the OISL to **apply international criminal law** * to the incidents and events under investigation in determining whether crimes have been perpetrated.

** (Principally, it deals with genocide, war crimes, crimes against humanity, as well as the crime of aggression.)*

INDEPENDENT EXPERTS



Mr. Martti Ahtisaari
former President of Finland



Ms. Asma Jahangir
Former President of the
Human Rights Commission
of Pakistan



Ms. Silvia Cartwright
former High Court judge of
New Zealand

to play a supportive and advisory role, as well as independent verification throughout the investigation

SPECIAL RAPPORTEURS

- Extrajudicial executions
- Disappearances
- Internally displaced persons
- Arbitrary detentions
- Violence against women and torture

As required by the Council resolution, the OISL will also obtain the assistance of specific special procedures mandate holders

METHOD OF WORK

- OISL will conduct a desk review of existing documents and information, including government and civil society reports
- Collect and document victims' testimonies and the accounts of survivors, witnesses and alleged perpetrators
- Seeking information from other relevant sources such as satellite images, authenticated video and photographic material and official documents.
- In analysing the information collected, it will seek to corroborate facts and accounts to meet the agreed standard of proof

ENGAGEMENT WITH ALL

- Continue to seek to engage with the GOSL
- The High Commissioner will continue to request access for country visit
- The OISL will seek to develop regular dialogue and cooperation with:
 - United Nations entities
 - Interested institutions
 - Academics
 - Non-governmental
 - Community organisations

WITNESS PROTECTION

- The **OISL will take appropriate steps to address witness and victim protection concerns** and shall adopt procedures and methods of work aimed at protecting such persons during all stages of its work.
- The **Government of Sri Lanka also has an obligation to protect victims and witnesses** and others in Sri Lanka who make contact with the OISL, and it will be requested to make an undertaking that no such person shall, as a result of such contact, suffer harassment, threats, acts of intimidation, ill-treatment or reprisals.

CONFIDENTIALITY OF INFORMATION

- The OISL will take all necessary measures and precautions to protect the confidentiality of information, including **by not disclosing the names of individuals in its public reports** as appropriate.
- At the end of its work, the OISL will archive all its confidential material in accordance with standard UN procedures for strictly confidential material.

SUBMISSIONS

Any state, individual or organisation may submit information in writing to the OISL. Submissions to the OISL may be sent to:
OHCHR Investigation on Sri Lanka (OISL)

Email	oisl_submissions@ohchr.org
Postal Address	OHCHR Investigation on Sri Lanka (OISL) UNOG-OHCHR 8-14 Rue de la Paix CH-1211 Geneva 10 Switzerland

In carrying out its work, the OISL will be guided at all times by the principles of independence, impartiality, objectivity, transparency, integrity and “do no harm”