

Review of Sri Lanka – intervention by Poland*(Geneva, 1 November)*

Poland thanks the delegation of Sri Lanka for a constructive participation in the UPR process and the presentation of its informative national report.

While acknowledging Sri Lanka's efforts to improve its human rights record and to implement obligations aimed at reconciliation, democratization and rule of law, which constitute the cornerstone of post civil war reconstruction and reconciliation, Poland would like to point out a few areas in which further measures should be taken by the Government of Sri Lanka.

We are concerned about the effects of the 18th Constitutional Amendment of 2010, on the independence and integrity of the judiciary and oversight bodies. The said Amendment eliminated the Constitutional Council and empowered the President to make direct appointments of members to key Commissions, including the Human Rights Commission (HRCSL) and the Ombudsman. Strong and independent human rights institutions are indispensable for the effective observance of human rights and particularly important in the view of continued and consistent allegations of widespread use of torture and other cruel, inhuman or degrading treatment. We also would like to share our concerns about the reports of a significant number of disappearances, which have still not been clarified. We would appreciate any information on the measures that have been taken to ensure necessary independence and integrity of the judiciary and the oversight bodies.

Another issue worth mentioning are the alleged smear campaigns in Sri Lanka that may have been related to the cooperation of human rights defenders with the United Nations Human Rights Council. Reprisals against persons or groups cooperating with UN mechanisms are inadmissible. They undermine the UN human rights protection system, therefore, all such cases should be investigated without any delay and the perpetrators should be brought to justice. Please provide information on the measures, which have been taken to ensure protection of human rights defenders.

The delegation of Poland would like to offer the following recommendations to Sri Lanka:

- to take all necessary measures to ensure the independence and integrity of the judiciary and oversight bodies,
- to establish an effective independent monitoring mechanism to investigate complaints of torture,
- to carry out independent investigations into possible cases of torture and reprisals related to cooperation with international human rights bodies.