

Guidance for making a submission to the OHCHR Investigation on Sri Lanka ("OISL")

Who can make a submission?

1. Any individual or group can make a submission to OISL in writing. OISL is looking for information concerning "serious violations and abuses of human rights and related crimes" by either party to the Sri Lankan conflict between the period of 21 February 2002 and 15 November 2011. The parties to the conflict include the Government of Sri Lanka ("GoSL"), the Liberation Tigers of Tamil Eelam ("LTTE") and paramilitary groups.

How do I make a submission?

2. You can write by hand or type a statement setting out your relevant experiences and evidence.
3. The submission must not exceed 10 pages.
4. The submission can be written in English, Tamil or Sinhala.
5. Each individual or group should prepare a separate submission.
6. All submissions are due to OISL by 30 October 2014.
7. The submission should be sent by email or post to one of the following addresses:
 - o Email: OISL_submissions@ohchr.org
 - o Post: OISL
UNOG-OHCHR
8-14 Rue de la Paix
CH-1211 Geneva 10
Switzerland

What information should be provided in the submission?

8. Name and contact details

OISL prefers that submissions include your name and contact details so that they can follow up with you if necessary. However, before including your name and contact details you should carefully assess any security threats and risks you face. If you have security concerns, you may wish to take one of these options:

- Provide your name and contact details, but instruct OISL to keep this information confidential;
- Use a pseudonym or short name, but provide your contact details so that OISL can contact you if they wish; or
- Not provide your name or contact details and make the submission through a third party, such as a lawyer or intermediary who will provide their own contact details to OISL. If you follow this option, provide the third party with your contact details on a separate piece of paper so that they have your contact details if they need to contact you regarding your submission.

If you are happy to provide your contact details to OISL, please make sure you include your email address and telephone number.

9. Confidentiality

- If you want some parts of your submission to be treated confidentially by OISL, you must state this on the submission and clearly indicate the parts that you want to be treated confidentially.

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- If you want your *entire* submission to be treated confidentially by OISL, you must state this clearly on the submission.

10. Personal background

At the start of your submission, provide some brief information about your occupation/role during the period including if you were a volunteer, in the military or LTTE, or a member of an NGO.

Include your age, marital status and your relationship with any victims referred to in your submission.

11. Relevant evidence

OISL has not specified which categories of violations it will investigate. However, it will most likely investigate the following categories of violations provided that the violations occurred between 21 February 2002 and 15 November 2011:

- Murder of civilians
- Targeting of civilians resulting in death or injury, particularly in the No Fire Zones
- Shelling of hospitals and other humanitarian objects
- Denial of humanitarian assistance
- Forcible recruitment into military/paramilitary/LTTE and forced labour
- Use of child soldiers
- Forcing civilians to remain in a particular area
- Executions of those who surrendered or were captured
- Disappearances
- Rape and other forms of sexual violence
- Arrests without warrants
- Torture
- Poor conditions in detention camps, including violence
- Loss of property and seizure of land
- Mass graves

12. Non-written evidence

If you have further evidence such as photos, videos or audio material that is relevant to your submission, state the nature and type of evidence in your submission and indicate whether you are willing to provide it to OISL if requested.

13. Unsigned

Please do not sign your submission. OISL does not require a signature and doing so might jeopardize any later evidence or testimony you provide.

Tips for preparing your submission

14. The best evidence is generally first-hand evidence written in your own words. When preparing your submission, focus on what you saw, heard and experienced directly.
15. If you are writing about an event that you did not witness yourself, but still think is important to include, please explain how you came to learn about that event.
16. The best way to structure your evidence is to state it chronologically, that is, in order of the events that happened. You might find it helpful to frame your evidence in phases, e.g. Ceasefire, Tsunami, War, No Fire Zones, Detention Camp, Resettlement etc.

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17. When writing about one or more of the violations listed above, please include as many facts about the violation as possible. If you cannot remember all the details, that is fine. However, please include as many details as you can remember – date, time of day, location, who was there, what was said, what was done, what resulted from what was done, surrounding circumstances etc.
18. When writing about one or more of the violations listed above, name the perpetrator or responsible party if you are able to identify them. If you are not able to identify the perpetrator or responsible party, provide details about their appearance, any noticeable marks, insignia, uniforms etc that might help establish their identity.
19. If you are writing about a conversation or words that you heard spoken by others, try to quote the words as best as you can remember them.
20. If you are writing about events that took place during the combat, give details about how many civilians were present, how many GoSL military and installations were present, how many LTTE cadres and installations were present and where they were located in relation to the civilians.
21. OISL is especially interested in evidence that can be corroborated. If you have information that corroborates your account, such as medical reports or information from court files, please make a copy and attach these documents to your submission. However, you should first assess whether there are any security risks in doing so, whether to you or to others identified in the documents.

What will OISL do with the submission?

22. OISL will consider the submissions it receives when carrying out its investigation on Sri Lanka for the OHCHR and may prepare a report to the OHCHR on its findings.
23. The OHCHR may provide the submissions to courts that are dealing with cases involving the alleged violations, and in such cases, the submissions may be made available to both the prosecutor and defence counsel.
24. If you are concerned about your submission being provided to a court in this way, you can indicate in your submission that your submission is confidential and for the consideration of OISL only. However, it is not possible to guarantee how OISL will manage such a request. The better option for you may be to mark the submission confidential, as noted above at point 9 or make your submission under a pseudonym, short name or through an intermediary as noted at point 8.