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## Sri Lanka's new Chief Justice 'ready for reform'

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The recently appointed new Chief Justice (CJ) in Sri Lanka says he is ready to reform the way judicial services are administered in Sri Lanka. In the first ever interview with the media since taking office last month, new CJ Asoka de Silva told BBC Sandeshaya that he will soon announce reforms to the Judicial Services commission (JSC) that controls transfers and disciplinary action within the judiciary.

“I am planning few reforms to the JSC and you will know within the next few weeks what those reforms are,” he said. Mr. De Silva was responding to two recent international reports on Sri Lankan judiciary. In a report issued last week, the International Crisis Group (ICG) accused Sri Lanka’s judiciary of failing to protect human rights. “Through the JSC, he (the former chief justice) controlled appointments, transfers and removals of lower court judges. He used those administrative powers to punish judges out of step with his wishes and to reward those who toed the line,” the ICG report said. The new CJ admits that concern was raised on some activities of his predecessor over the way he controlled judicial affairs. “Yes there was concerns that some in the judiciary have received special treatments; there are those who have never left Colombo for example. There were concerns on favouritism. So I need to carefully study the situation and take some measures,” he told the BBC. Both the ICG and International Bar Association’s Human Rights institute (IBAHRI) have been highly critical of the conduct of former Chief Justice Sarath Nanda Silva who retired after nearly 10 years in the office. The IBAHRI report issued after a recent fact finding mission to Sri Lanka recommended: “The appointment, transfer, dismissal or retirement of judges at all levels to be determined by a transparent and accountable system”. As his predecessor was appointed at a relatively young age and held the office for a long time, says new Chief Justice, he might have committed some mistakes. ICG Senior Vice President Mark Schneider told BBC Sinhala service that the perceived politicisation of the judiciary was a major concern. “I think that there was a concern that the report reflects the court was increasingly politicised and that it was not operating in a way that encourage people to view its actions as independent and impartial,” he said. However, the chief justice denied ICJ and IBAHRI accusations that the judiciary is politicised as a result of his predecessor's actions or due to influence by the executive. “If you take many recent appointments to the judiciary, all the appointments were made on merit,” he said. He also denied ICG accusations that “Rather than constraining militarisation and protecting minority rights, a politicised bench under the just-retired chief justice has entrenched favoured allies, punished foes and blocked compromises with the Tamil minority”. Sarath Nanda Silva’s ruling’s on north east merger and tsunami P-TOMS for example, says Asoka de Silva, were based on the country's constitution. (BBC Sinhala) Courtesy: dailymirror.lk