



**BY E-MAIL**

March 1, 2013

Mr. Robert O. Blake  
Assistant Secretary  
South & Central Asian Affairs  
U.S. Department of State  
2201 C Street NW  
Washington, DC 20520  
USA

Dear Robert,

**Statement made to the Foreign Affairs Committee,  
Sub-Committee on Asia and the Pacific**

I was indeed *appalled* upon reading in the foreign and Sri Lanka media a Statement reported to have been made by you this week to the aforementioned Committee, particularly *alluding* a 'sweeping statement' criticizing by *innuendo* the recent impeachment by Parliament of Sri Lanka of the Chief Justice.

I regret that your such 'sweeping statement' has apparently been made, *arbitrarily* devoid of any facts to have *substantiated* the same; whereas comprehensive representations had been made by me to you justifying the said impeachment of the Chief Justice.

You are well and truly aware that I had taken the trouble to afford you the relevant and pertinent facts, supported by documentary evidence placed before the Supreme Court of Sri Lanka, justifying the aforesaid impeachment of the Chief Justice; inasmuch as, I, as far back as February 2012, had put in issue before the Supreme Court the *disqualification* of the Chief Justice, *adducing* facts from records of Supreme Court proceedings.

The said Chief Justice had *recklessly* made a *perverse* Determination in *contravention* of the Constitution of Sri Lanka, *acting without jurisdiction*, to have misled the Parliament of Sri Lanka on a Bill. Ironically, the same Chief Justice, as the then most Senior Justice of the Supreme Court, having been appointed in 1996, was primarily responsible for a decision of the Supreme Court in August 2009, which your own State Department, itself, in its 2010 Report on Sri Lanka had *castigated* - *vide* page 26 thereof, to which I bear witness having been present in Court in opposition thereto.

I draw reference to my Letters dated November 21, 2012, December 20, 2012 and January 12, 2013, which I had personally addressed to you, copies of which are attached for your easy reference, without the *Annexures* thereto.

The *cogent* question does arise, as to whether the foregoing facts placed before you had been caused to be *analytically examined* by your Officials, prior to you having made such 'sweeping statement' to the aforementioned Committee, publicized internationally, inasmuch as, I, as an experienced professional, took such stance to uphold the rule of law and the UN Convention Against Corruption, which Sri Lanka had ratified as far back as March 31, 2004.

Indeed it would be a great *travesty of justice* and *lack of accountability* on the part of your Office, if as evident from the foregoing, the aforesaid facts, supported by documents, had been *suppressed* from the aforementioned Committee, thereby putting in issue the *credibility* of the aforesaid 'sweeping statement', whereby grave and irreparable prejudice and irremediable mischief had been caused before the international community on the said matter of impeachment of the Chief Justice.

I believe, that particularly in the US, facts are incisively analyzed and documents examined, prior to briefings being made for actions to be correctly taken thereon. In this instance, I regret very much that apparently such had not been the case.

I cite two of my experiences on matters of national economic proportions given the context of a small country, that Sri Lanka is. Though two leading US corporates were involved in the said two matters, to my knowledge, your Office, nor any other US State Agency took any action thereon, notwithstanding the US Foreign Corrupt Practices Act.

Firstly, the colossal loss caused by the fraud on the Government of Sri Lanka in the construction of the Hilton Hotel, where Hilton International Co., US, had a Management Agreement, including to provide Technical Assistance during construction, which loss was prevented by me through litigation upheld by the Supreme Court of Sri Lanka and reported in the Commonwealth (Commercial) Law Reports.

Secondly, the *purported* Oil Hedging Deals perpetrated, amongst others, by Citibank, a US bank, on the bankrupt Ceylon Petroleum Corporation, a State corporation, a customer of the said Bank, where *purported* colossal Claims by the said Bank were dismissed in an Arbitration before the London Court of International Arbitration.

Facts pertaining to the foregoing have been well documented in a series of Books I had published through AuthorHOUSE US – website [www.authorhouse.com](http://www.authorhouse.com). Ironically, the Business Manager's Office in Los Angeles had sent your Office copies of the relevant Books during the first half of last year acknowledged by Emily Fleckner of your Office.

I urge you to cause speedy and effective warranted remedial action to be taken. I am most willing to debate the aforesaid issue with you at any public forum.

Yours truly,



Nihal Sri Ameresekere, F.C.A., F.C.M.A., C.M.A, C.G.M.A., C.F.E.  
Associate Member, American Bar Association  
Member, International Association of Anti-Corruption Authorities

cc: US Representative Mr. Ed Royce (*Congress representing Southern California's 39<sup>th</sup> District*)  
Chairman, Committee on Foreign Affairs  
2170 Rayburn House Office Building  
Washington, DC 20515  
USA

Ms. Beatrice Edwards  
Executive International Director  
Government Accountability Project  
1612 K Street, NW Suite # 1100  
Washington, DC 20006  
USA



---

## Re - Impeachment of Chief Justice, Dr. Shirani A. Bandaranayake

---

Consultants 21 Limited <consultants21@gmail.com>  
To: "Ambassador Michele J. Sison" <SisonMJ@state.gov>

Tue, Feb 5, 2013 at 12:23 PM

Dear Ambassador Michele J. Sison,

### **Re - Impeachment of Chief Justice, Dr. Shirani A. Bandaranayake**

As you are aware, I had addressed communications, with supporting documents, to the following persons:

- Mr. Mark C. Toner, Deputy Spokesperson, Office of the Spokesperson, U.S. Department of State
- Ms. Victoria Nuland, Spokesperson, U.S. Department of State
- Dr. Alyssa Ayres, Deputy Assistant Secretary, Bureau of South and Central Asian Affairs, U.S. Department of State
- Mr. Robert O. Blake, Assistant Secretary, South & Central Asian Affairs, U.S. Department of State

with copies to you, *vis-à-vis*, the impeachment of Chief Justice, Dr. Shirani A. Bandaranayake, since, as far back as February 9, 2012, I had put in issue before the Supreme Court of Sri Lanka, the matter of '*perceived judicial bias and disqualification on her part*' and to be a person requiring enhanced scrutiny of financial affairs, as a '*politically exposed person*' in terms of Article 52 of the UN Convention Against Corruption, upon her husband having accepted political office.

From the *media* I came to know that the following persons had visited Sri Lanka, reportedly on a fact finding mission, *inter-alia*, on the impeachment of Chief Justice, Dr. Shirani A. Bandaranayake.

- Mr. James R. Moore, Deputy Assistant Secretary for South and Central Asian Affairs, U.S. Department of State
- Ms. Jane B. Zimmerman, Deputy Assistant Secretary, Bureau of Democracy, Human Rights and Labor, U.S. Department of State
- Mr. Vikram J. Singh, Deputy Assistant Secretary of Defense for South and Southeast Asia, U.S. Department of Defense

Having communicated as aforesaid and having been aware of the salient facts, I wish I had the opportunity to have correctly apprised the aforesaid persons.

I also saw reported in the *media* that the following Senators,

- Senator Robert P. Casey Jr., a member of the Senate Foreign Relations Committee (SFRC)
- Senator Patrick Leahy, the senior most Senator of the Democratic Party

had addressed a Letter to the outgoing Secretary of State, Hilary Rodham Clinton, now succeeded by John Kerry, *inter-alia*, *vis-à-vis*, the impeachment of Chief Justice, Dr. Shirani A. Bandaranayake.

In the foregoing circumstances, I shall be grateful, if this e-mail with the attached documents, is forwarded to them, to be apprised of the salient facts, *vis-à-vis*, the impeachment of Chief Justice, Dr. Shirani A. Bandaranayake.

1. My Written Submission dated February 9, 2012 tendered to the Supreme Court, which was returned without being accepted
2. My final Petition to the Supreme Court dated October 18, 2012 - I particularly draw attention to paragraph 13 on pages 26-40 thereof
3. My Affidavit to the Hon. Speaker of Parliament dated January 5, 2013, which, *inter-alia*, discloses the *ex-parte* Minutes made in

Chambers by certain Justices on my aforesaid Petition , without having heard me

4. An Article published in the Media by me titled - "**Constitutional interpretations & expeditious judicial procedure ?**"; which discloses the perverseness of the Supreme Court interpretation of January 1, 2013, and *based upon which* the Court of Appeal issued a Writ on January 7, 2013

I have not had the occasion to meet you. I have just completed a series of Books on real case studies on fraud and corruption, economic crime, public finance and rule of law, published and marketed by US publisher AuthorHouse. For more particulars, you may visit : [www.consultants21.com/publications](http://www.consultants21.com/publications) and [www.consultants21.com](http://www.consultants21.com) .

I have visited US on several occasions, whilst working on the World Bank and USAID funded economic infrastructure projects. I educated all 3 children in the US - Son at Yale and UPenn, Daughter at American University and University of Hawaii, and younger Son at Michigan and USC!

Yours sincerely,

Nihal Sri Ameresekere, F.C.A., F.C.M.A., C.M.A, C.G.M.A., C.FE.

*Associate Member, American Bar Association*

*Individual Member, International Association of Anti-Corruption Authorities*

--

Consultants 21 Ltd.

[www.consultants21.com](http://www.consultants21.com)

---

#### 4 attachments



**1 - Further Writtten Submissions - 9.2.2012.pdf**

235K



**2 - Review Petition - 18.10.12.pdf**

687K



**3 - Affidavit to Hon. Speaker- 5.12.12.pdf**

200K



**4-Constitutional interpretations & expeditious judicial procedure.pdf**

367K

**BY E-MAIL**

12<sup>th</sup> January 2013

Mr. Robert O. Blake  
Assistant Secretary  
South & Central Asian Affairs  
U.S. Department of State  
2201 C Street NW  
Washington, DC 20520  
USA.

Dear Robert,

**Statement made by US State Department spokesperson Ms. Victoria Nuland  
on Wednesday, January 9, 2013 at the daily *media briefing* about US concerns, *vis-à-vis*,  
the impeachment of the Chief Justice of Sri Lanka**

As you would know the impeachment motion against the Chief Justice was passed by the legislature, with 155 lawmakers voting for the Motion, 49 voting against the Motion, with 20 abstentions.

Upon concerns expressed initially by US Deputy Assistant Secretary for South & Central Asia, Dr. Alyssa Ayres, I forwarded my Letter to you by E-mail of November 21, 2012 requesting that copy be forwarded to Dr. Alyssa Ayres.

Thereafter, upon the subsequent press statement by Mr. Mark C. Toner, Deputy Spokesperson, Office of the Spokesperson, I forwarded you by E-mail and Courier my Letter dated December 20, 2012, with copies to

- **Dr. Alyssa Ayres**, Deputy Assistant Secretary, Bureau of South and Central Asian Affairs, U.S. Department of State
- **Mr. Mark C. Toner**, Deputy Spokesperson, Office of the Spokesperson
- **Ambassador Michele J. Sison**, U. S. Embassy, 210 Galle Road, Colombo 03, Sri Lanka

To the both the aforesaid Letters, documents containing relevant facts had been attached.

Subsequently, I forwarded you my E-mail of January 8, 2013 attaching thereto the following Letters to the UNHCR setting out relevant facts.

- Letters dated January 7, 2013, December 20, 2012 and November 16, 2012 to Mrs. Gabriela Knaul, Special Rapporteur on the Independence of Judges & Lawyers
- Letter dated November 29, 2012 to Ms. Navanethem Pillay, United Nations High Commissioner for Human Rights

Evidently, without having taken cognisance of the foregoing, again US State Department Spokesperson Ms. Victoria Nuland on Wednesday, January 9, 2013 is reported to have stated thus :

“The United States is concerned by actions taken to impeach Sri Lankan Chief Justice Shirani Bandaranayake. We also note with concern recent threats to Sri Lankan judicial officials, including the assault last month on a judge who had publicly criticized government pressure on members of the judiciary. We urge the Government of Sri Lanka to avoid any action that would impede the efficacy and independence of Sri Lanka’s judiciary.

The United States, along with our partners in the international community, continues to urge Sri Lanka to address outstanding issues of the rule of law, democratic governance, accountability and reconciliation.”

I attach copies of the aforesaid Letters dated November 21, 2012 and December 20, 2012 for your easy reference, without the documents attached thereto.

Please afford copies of this Letter and the foregoing to the aforesaid persons, so that they may be correctly apprised, and to any further other relevant persons of your Department, to be apprised thereof.

Whilst reiterating the contents of the aforesaid Letters, I am most willing to afford any further clarifications and/or explanations your said Officials wish to have.

I draw your kind attention to a recent Report in the latest American Bar Association Law Journal, where a Michigan Supreme Court Justice had filed retirement papers, in the face of the State Judicial Tenure Commission having accused her of '*Blatant and Brazen*' misconduct, but that federal criminal investigation continues.

I also attach copy of my Article on "*Constitutional interpretations and expeditious judicial procedure*" - <http://www.ft.lk/2013/01/11/constitutional-interpretations-and-expeditious-judicial-procedure/> published in the prestigious *Daily FT* of January 11, 2013. You would appreciate that we are bound to uphold and defend our Constitution. It is with respect that I am constrained to point out, that the US Constitution – 'Bill of Rights' guarantees the right to bear firearms, which we do not have in our Constitution. I have no right to express concern on your constitutional rights and freedoms.

This has been dictated to my Secretary, whilst I am out of Colombo in Kandy. I shall be sending you a further considered communication in this regard very shortly.

Best wishes for the New Year.

Yours truly,



Nihal Sri Ameresekere, F.C.A., F.C.M.A., C.M.A, C.G.M.A., C.F.E.  
Associate Member, American Bar Association  
Member, International Association of Anti-Corruption Authorities



Consultants 21 Limited &lt;consultants21@gmail.com&gt;

---

**Challenges in combating Corruption at the highest levels ! - E-mail being resent with additional last paragraph which had been inadvertently left out.**

---

**Consultants 21 Limited** <consultants21@gmail.com>

Tue, Jan 8, 2013 at 4:28 PM

To: "Mr. Robert O Blake" <blaker2@state.gov>, Doris Robinson <robinsondm2@state.gov>, "Mr. Kamalesh Sharma (Secretary - General, Commonwealth Secretariat)" <secretary-general@commonwealth.int>, "Mr. Kamalesh Sharma (Secretary - General, Commonwealth Secretariat)" <info@commonwealth.int>, CLA <cla@sas.ac.uk>, CMJA <info@cmja.org>, "Mr. Robert C. Brun" <rbrun@harrisbrun.com>, "Hon. John Baird" <bcm@international.gc.ca>, "Mr. Bernard Savage" <delegation-sri-lanka@eeas.europa.eu>, AHRC HumanRights <ahrc@ahrc.asia>, "Ms. Illari Aragón-BHRC Project Coordinator\" <coordination@barhumanrights.org.uk>

Attached Letters reveal the realities of challenges faced in combating Corruption at the highest levels, even though the UN Convention Against Corruption is pontificated upon at many a forum, particularly by legal and judicial officers, who therefore ought to act by setting an example, particularly since they are the very persons, who are called upon to prosecute and adjudicate upon cases of corruption.

Supreme Court and Court of Appeal functioned expeditiously sitting during vacation to give relief and shield the Chief Justice from allegedly faulty impeachment process. Such expeditious dispensations by Superior Courts during vacation would not be ordinarily afforded to common litigants, putting in question equality before the law - Sri Lanka's Constitutional provisions and some salient facts are set out in the 2nd Letter attached addressed to the Speaker of Parliament of Sri Lanka.

A British Citizen, adjudged bankrupt by an UK High Court in 2004 is in Sri Lanka now for 8 years continuing to enjoy the ownership and benefits of valuable Shareholdings, which had vested in the UK Trustee in Bankruptcy, and whose Lawyers appear for the Chief Justice, whilst Complaints had been made against them to the Supreme Court, referred to the Bar Association, and investigations pending by the Criminal Investigation Department.

The main Respondents out on bail and in exile in an highly controversial Case in the Supreme Court of a collapsed financial institution, which had been heard by Chief Justice, in respect of which there is a Charge, are represented by Counsel who now appear for the Chief Justice. The next most senior, a fearless and respected Justice of the Supreme Court had given evidence before the Parliamentary Select Committee to establish this Charge.

Legal processes ought not stifle and stultify combating corruption, but ought facilitate the expeditious prosecution thereof, if corruption is to be effectively combated.

In addition, the Commission to Investigate Allegations of Bribery or Corruption had instituted action in the Magistrate's Court of Colombo against the husband of the Chief Justice, which also was a Charge in the impeachment Motion, with the Chief Justice being the head of the Judicial Service Commission, which exercises administrative and disciplinary control over High Court and District Court Judges and Magistrates.

Best regards,

Nihal Sri Ameresekere, FCA, FCMA, CMA, CGMA, CFE  
Associate Member, American Bar Association  
Individual Member, International Association of Anti-Corruption Authorities (IAACA)

Consultants 21 Ltd.  
www.consultants21.com



**BY E-MAIL / COURIER**

20<sup>th</sup> December 2012

Mr. Robert O. Blake  
Assistant Secretary  
South & Central Asian Affairs  
U.S. Department of State  
2201 C Street NW  
Washington, DC 20520  
USA

Dear Robert,

***Press Statement***

***“Ongoing Concerns on Rule of Law in Sri Lanka”***

*by Mark C. Toner, Deputy Spokesperson, Office of the Spokesperson*

In the context of the Press Statement captioned – ‘Statement by US Deputy Assistant Secretary for South and Central Asia, Dr. Alyssa Ayres - “US concerned over impeachment of CJ – The impeachment process is continuing to be a matter of concern for the US Govt.”’, I addressed to you my Letter dated 21<sup>st</sup> November 2012, with copy to Dr. Alyssa Ayres, attaching copies of the following:

1. My Petition dated 18<sup>th</sup> October 2012 to the Supreme Court, whereby I put in issue the very grave and serious matter of ‘perceived judicial bias and disqualification’ on the part of the Chief Justice and two other Justices of the Supreme Court, who in my view had acted *without jurisdiction* and *ultra-vires* the Constitution. I cited the Judgment in Appeal in the House of Lords *re – Pinochet vide* paragraph 13 of my said Petition. *I intimated that the response I received was even more appalling*, but did not disclose the same in my said Letter.

Hence, I attach hereto my Affidavit dated 5<sup>th</sup> December 2012 addressed to the Hon. Speaker of Parliament, *inter-alia*, setting out the aforesaid responses I received, which are *lucidly self-explanatory*. Attached to my Affidavit was my further Written Submission, which I had tendered, *as far back as 9<sup>th</sup> February 2012*, to the Supreme Court on the same matter of ‘perceived judicial bias and disqualification’, on the part of Chief Justice, also setting out other pertinent facts, which however was not entertained, but returned to me by the Supreme Court. I urge you to cause a close examination and study of the facts contained in my said Affidavit of 5<sup>th</sup> December 2012 and my further Written Submission of 9<sup>th</sup> February 2012, and reach your conclusions thereon, *as to whether such conduct could in anywise be condoned and/or ignored?*

2. My Letter dated 5<sup>th</sup> November 2012 to the Attorney General, with attachments thereto, which reveals the conduct on the part of the Supreme Court, *vis-à-vis, illegal contracts* pertaining to which, citing international authorities, I had sought *anti-suit injunctions*. As a consequence of such conduct, Sri Lanka faces Claims of around SL Rs. 40 billion (US \$ 315 million) – *a cognizable sum of money*.

Your aforesaid repeated concerns have been on the Resolution in terms of Article 107 of the Constitution, *which reigns supreme*, and the Standing Orders made thereunder for the process to impeach the Chief Justice, by 117 law makers of a total of 225, consequent to which, the Hon. Speaker had no option, other than to appoint a Parliamentary Select Committee to investigate into Charges contained in such Resolution. To *allay the controversy* caused, as in the famous instance in France of *Alfred Dreyfus* affair, I attach a Chart *depicting* the administrative procedure for disciplinary action against judicial and public officers, together with an Article I had caused to be published, and the relevant Articles of the Constitution. I have observed as reported in the *media*, that Article 14 of the International Covenant on Civil & Political Rights was to be extended. Nevertheless, Judges are accountable to the prevalent Constitution under which they entered upon Office, and must not usurp Parliament’s Legislative function *vide - Latimer House Principles*; whereas as revealed in my Petition dated 18<sup>th</sup> October 2012 forwarded previously the Chief Justice has violated the UN Universal Declaration of Human Rights and had overwritten Article 157 of the Constitution, which she could not !

I attach a *scanned* copy of the Report of the Parliamentary Select Committee, without the recorded proceedings of, the list of documents examined by and the oral submissions made before, the said Committee, the contents of which are *self-explanatory*. The Parliamentary Select Committee is only an administrative process, enabling the President of the Republic to remove a Chief Justice, if the Committee’s Report makes an *adverse* finding and is passed after an Address of Parliament. I myself have appeared before Parliamentary Standing Committees, which are fact finding Committees, not exercising any judicial power, which I believe is as the same as in the House of Commons and Lords in the UK. The fact disclosed, that the Opposition Members of the Parliamentary Select Committee, after having seen the evidence, had ‘*walked out*’, without participating and writing a *dissenting* Report, with *justifiable* reasoning only *reinforces* the findings.



A hue and cry has been raised on the matter of natural justice, which perhaps *triggered* your concerns. On an examination of the attached Report of the Parliamentary Select Committee, it would be revealed that the facts are otherwise, and that the Chief Justice had been, in fact, afforded adequate time of one month, to respond to matters, *which were within her own knowledge*. Please do compare this with the contents of my aforesaid Affidavit, where the people and I, particularly parties affected, had been *knowingly* denied natural justice of *even having been heard*, whilst she and the other Members of the Bench had acted in my view, *without jurisdiction, ultra-vires* the Constitution, *rendering nugatory the tenet that all are equal before the law*.

Given below are two *strips* of scanned newspaper photographs of scenes, within the *precincts* of the Supreme Court, portraying organized protests, including *rituals* performed, uproars created and the demeanor of the Chief Justice, whilst leaving to attend the Parliamentary Select Committee proceedings, which alone speaks volumes, and brings into issue, as to whether such *hullabaloo* is acceptable under the Commonwealth Latimer House Principles and the Bangalore Principles of Judicial Conduct adopted by the UN. Would any ordinary litigant have been permitted to so conduct demonstrations in the Supreme Court *precincts*, to bring about undue pressure to endeavour to *stymie* and *stultify* an inquiry ?

**DAY 1**



**DAY 2**



As disclosed in my previous Letter, my interest is as an Individual Member of the International Association of Anti-Corruption Authorities, committed to promoting and facilitating the implementation of the UN Convention Against Corruption (UNCAC), which Sri Lanka ratified on 31<sup>st</sup> March 2004, whilst India ratified same only on 9<sup>th</sup> May 2011. *I am confident that you and your Department / Embassy would support the same in the context of achieving good governance and the rule of law*. In the circumstances revealed in my aforesaid Affidavit dated 11<sup>th</sup> December 2012 and further Written Submission dated 9<sup>th</sup> February 2012 attached thereto, the Chief Justice comes within the ambit of Article 52 of the UNCAC, pertaining to category of *'politically exposed persons'* (PEPs), warranting *enhanced scrutiny* of their affairs in terms of the UNCAC.

Yours truly,

Nihal Sri Ameresekere, F.C.A., F.C.M.A., C.M.A, C.G.M.A., C.F.E.

cc: **Dr. Alyssa Ayres**, Deputy Assistant Secretary, Bureau of South and Central Asian Affairs, U.S. Department of State  
**Mr. Mark C. Toner**, Deputy Spokesperson, Office of the Spokesperson  
**Ambassador Michele J. Sison**, U. S. Embassy, 210 Galle Road, Colombo 03, Sri Lanka

**Dr. Ye Feng**  
 Secretary-General  
 International Association of  
 Anti-Corruption Authorities  
 No. 147 Beiheyuan Street, Dongcheng District  
 Beijing 100726, China.

**Mr. Dimitri Vlassis**  
 UN Secretary General's Representative  
 Chief, Corruption & Economic Crime Branch  
 Division for Treaty Affairs, UNODC  
 Vienna International Center  
 Wagramerster. 5, A-1400  
 Vienna, Austria.



# Consultants 21 Limited

MANAGEMENT • OPERATIONS • FINANCE  
FORENSIC ACCOUNTING • LITIGATION SUPPORT • TAXATION  
PRIVATISATION • RESTRUCTURING • INFRASTRUCTURE

167/4 Vipulasena Mawatha, Colombo 10, Sri Lanka  
Tel: 94-11-2696814, 94-11-2686364, 94-11-4715988  
Fax: 94-11-2697134 Kandy Tel/Fax: 94-81-4470442  
E-mail: consultants21@gmail.com  
Website: www.consultants21.com

## **BY E-MAIL**

21<sup>st</sup> November 2012

Mr. Robert O. Blake  
Assistant Secretary  
South & Central Asian Affairs  
U.S. Department of State  
2201 C Street NW  
Washington, DC 20520  
USA

Dear Robert,

**Statement by US Deputy Assistant Secretary for South and Central Asia, Dr. Alyssa Ayres  
"US concerned over impeachment of CJ" –  
"The impeachment process is continuing to be a matter of concern for the US Govt."**

I read with interest the above captioned Statement, in the context of which, I forward for your kind attention, copies of the following:

1. My Petition dated 18<sup>th</sup> October 2012 to the Supreme Court of Sri Lanka, *the contents of which*, also dealing with issues under the United Nations Universal Declaration of Human Rights and Universal Declaration of Human Rights and International Covenant on Civil & Political Rights, *are self-explanatory. The response I received is even more appalling.*
2. My Letter dated 5<sup>th</sup> November 2012 to the present Attorney General of Sri Lanka, and attached thereto Letter dated 13<sup>th</sup> August to the Minister of Petroleum Industries, and Letter dated 24<sup>th</sup> June 2010 to the former Attorney General of Sri Lanka, *the contents of which too are self-explanatory.*

As you are aware, I am a public interest activist from early 1990s – *vide* – [www.consultants21.com](http://www.consultants21.com). My very first derivative actions in law on fraud in the construction of the Colombo Hilton Hotel – upheld by the Supreme Court of Sri Lanka is reported in the Commonwealth (Commercial) Law Reports of 1992 @ Page 637.

I am also an Individual Member of the International Association of Anti-Corruption Authorities (IAACA) established in 2006, to promote and facilitate the implementation of the United Nations Convention Against Corruption (UNCAC), which came into force in December 2005.

Articles of the UNCAC, which Sri Lanka had ratified, contain mandatory obligations to be fulfilled on the part of the State Parties. I have published a series of Books in the US - *vide* - [www.consultants21.com/publications](http://www.consultants21.com/publications).

In examining the foregoing documents, it would be relevant and pertinent to take into reckoning, the provisions in the Articles of the UNCAC, particularly with Sri Lanka being one of the countries selected to be reviewed this year, under the review mechanism conducted by UNODC on the implementation of the UNCAC.

Whilst I fully endorse the dire necessity to have an independent fearless judiciary, it is of equal importance that the rights of citizens are recognized, upheld and protected in compliance with the applicable UN Conventions. In terms of the Constitution of Sri Lanka, the sovereignty is in the people, and is inalienable, and is exercised in trust by the Executive, Legislature and the Judiciary.

Shall be very grateful, if this Letter is forwarded to Dr. Alyssa Ayres, Deputy Assistant Secretary for South and Central Asia, for her to be apprised.

Yours truly,

Nihal Sri Ameresekere, F.C.A., F.C.M.A., C.M.A., C.G.M.A., C.F.E.

cc: Dr. Alyssa Ayres  
Deputy Assistant Secretary  
Bureau of South and Central Asian Affairs  
U.S. Department of State  
2201 C Street NW  
Washington, DC 20520  
IISA