

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	477
Land:	Sri Lanka
Kilde:	Minority Rights Group International
Titel:	State of the World's Minorities and Indigenous Peoples 2014 – Sri Lanka
Udgivet:	3. juli 2014
Optaget på baggrundsmaterialet:	24. oktober 2014



State of the World's Minorities and Indigenous Peoples 2014 - Sri Lanka

Publisher [Minority Rights Group International](#)

Publication Date 3 July 2014

Cite as Minority Rights Group International, *State of the World's Minorities and Indigenous Peoples 2014 - Sri Lanka*, 3 July 2014, available at: <http://www.refworld.org/docid/53ba8dd310.html> [accessed 1 September 2014]

Disclaimer This is not a UNHCR publication. UNHCR is not responsible for, nor does it necessarily endorse, its content. Any views expressed are solely those of the author or publisher and do not necessarily reflect those of UNHCR, the United Nations or its Member States.

Sri Lanka's human rights record and its treatment of minorities continued to draw international attention in 2013. The UN High Commissioner for Human Rights, Navi Pillay, continued her call for an 'independent and credible' international investigation into human rights violations that took place during and after the armed conflict with separatist minority Tamil groups in the north and east of the country that officially ended in 2009. Her comments sparked the ire of the Sri Lankan government, dominated by the Sinhalese Buddhist majority and well known for dodging international criticism of its treatment of minorities.

In a report in February, Pillay said that Sri Lanka's efforts to investigate violations have lacked 'the independence and impartiality required to inspire confidence'. Her report is an outcome of the review of a 2012 UN resolution that called on Sri Lanka to implement the findings of the Lessons Learnt and Reconciliation Commission (LLRC), a national investigation into circumstances surrounding breakdown in the ceasefire agreement of 2002, set up by President Mahinda Rajapaksa in 2010. The LLRC, despite criticisms of its shortcomings, found that 'the root cause of the ethnic conflict in Sri Lanka lies in the failure of successive Governments to address the genuine grievances of the Tamil people' and recommended steps to remedy the situation. A UN Human Rights Council resolution passed in March, however, continued its call to the Sri Lankan government to effectively implement the 'constructive recommendations' of the LLRC, as well as to conduct independent and credible investigations into allegations of human rights violations.

Pillay made her first official visit to the country in August. Through her meetings with the President, other senior members of government and human rights defenders, the High Commissioner noted that 'despite the opportunity provided by the end of the war to construct a new vibrant, all-embracing state, [the country] is showing signs of heading in an increasingly authoritarian direction'. In particular, she urged the government to issue an immediate halt to the threats, harassment and violence against human rights defenders and journalists, many of whom are minority Tamils and Muslims. She made explicit note of the incitement to hatred and violence against religious minority communities, aided by the government's failure to take meaningful action against the perpetrators. The government in turn accused her of 'prejudice'.

The international spotlight on Sri Lanka's human rights record and treatment of minorities continued with the biannual Commonwealth Heads of Government Meeting (CHOGM), held there in November. The meeting was boycotted by Canada, India and Mauritius, while British Prime

Minister David Cameron flew to the north-east to meet with war-displaced Tamils and relatives of the disappeared. International human rights NGOs called on the heads of Commonwealth governments to boycott the meeting. Timed to coincide with CHOGM, MRG launched a report on the very serious situation facing minority women in Sri Lanka. Reports of restrictions on civil society and threats to activists both preceded and continued throughout the session.

The government made some attempts to appease criticism from the international community. In July, the President announced that police had been instructed to draw up a list of witnesses surrounding the deaths of 17 Action Contre la Faim (ACF) aid workers in Muttur in 2006, 16 of whom were Tamil and one Muslim. In August, President Rajapaksa announced the formation of another Presidential Commission of Inquiry into disappeared persons. Civil society observers have nevertheless drawn attention to its limited mandate and the need to ensure that the commission remains open and participatory throughout its proceedings. Similarly, while the Tamil National Alliance (TNA)'s landslide victory in the Northern Provincial Council elections in September appeared to signal a positive step towards greater minority participation, in practice devolution will be difficult until the underlying issues of militarization and impunity are addressed.

Both the 13th Amendment and the recommendations of the LLRC call for setting up a National Land Commission to deal with issues related to land in the north and east. The Centre for Policy Alternatives (CPA), a Sri Lankan NGO, released a report this year detailing how, since the end of the conflict, the government has been illegally confiscating large areas of land. These arbitrary land grabs impact primarily on minority communities and are often conducted by the military for their use. Land grabbing puts into question devolution provisions over land, which continue to be further undermined by proposals in the central government and rulings by the Supreme Court. In December, the Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, visited Sri Lanka and noted the need for the government to address the livelihood and land issues facing the resettled and those still displaced after the conflict.

Militarization in the north and east continues, limiting freedom and exposing women to sexual violence, as highlighted by the MRG October report. Many women are the primary income earners for their families, having lost their husbands during the conflict, and local NGOs are reporting an increase in the numbers of women engaging in sex work as a result of limited income-earning opportunities. Land and livelihood issues are also particularly affecting minority women. Government policies to improve economic opportunities in the north and east have mostly favoured men, overlooking the particular vulnerabilities faced by women-headed households.

Hate speech and hate crimes against religious minorities, particularly the Muslim community, reached an unprecedented level this year. The UN High Commissioner for Human Rights noted that she had received a compilation of 227 attacks, threats and incitement to hatred against Muslims that took place between January and June 2013. The Bodu Bala Sena or 'Buddhist power force' is the main group behind the targeting of Muslims. Their national 'no *halal*' campaign against Muslim religious practices continued into 2013, calling for a boycott of Muslim products and businesses, with protests held outside Muslim-owned shops. Demonstrations and attacks on mosques have taken place as well, enabled by police inaction. While President Rajapaksa has publicly appealed for racial harmony, he has not openly condemned the hate campaigns and these groups continue to operate freely.

Commentators have questioned why, after the conflict with the Tamils has ended, hate speech and hate crimes have become markedly refocused on Muslims. According to the CPA, the possible reasons for this include an even further marginalization of minority opposition voices in the government since the fighting ended. With the President reasserting that the goal for Sri Lanka is 'no racial or religious differences', the question of political participation for minorities is now associated with divisiveness. Consequently, the focus has shifted from Tamil modes of difference to other markers such as *halal* certification. There is further worry that, given the economic focus of the anti-*halal* campaign, any recession could seriously inflame this anti-minority discourse.

Hate speech has played an important role, with Facebook pages hosting anti-Muslim content and threatening public speeches spread through social networking sites. There is no clear anti-hate speech or prevention of religious intolerance legislation, though Section 3 of the International Covenant on Civil and Political Rights (ICCPR) Act of 2007 prohibits the advocacy of 'national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence'. Anti-hate speech legislation was also one of the recommendations of the LLRC. In 2013, the Minister of National Languages and Social Integration Vasudeva Nanayakkara submitted a proposal in the cabinet to ban hate speech and incitement to violence under the penal code, but a decision on the proposal is still pending. The government has used its controversial Prevention of Terrorist Act to detain former Deputy Mayor and General Secretary of the National Unity Alliance Azath Salley under its incitement to hatred clause. A signed petition in protest suggested that Salley's detention was politically motivated as a result of his opposition to Buddhist nationalist extremist groups. According to the petitioners, his arrest was based on a misquote in a newspaper article, and many other groups have openly promoted hate with impunity.

Copyright notice: © Minority Rights Group International. All rights reserved.

Search Refworld

by keyword

and / or country

All countries

[Advanced Search](#) | [Search Tips](#)

Countries

- [Sri Lanka](#)

Topics

- [Minorities](#)
- [Tamil](#)