

Flygtningenævnets baggrundsmateriale

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destroyed 259,491.42 hectares of land, three times more than in the same period in 2021. The Greenhouse Gas Emissions Inventory estimated a gross emission of 288.6 million tonnes of carbon dioxide in 2021, which constituted a 5.1% increase over the previous year.

1. *Morocco: "They beat him in the head, to check if he was dead": Evidence of Crimes Under International Law by Morocco and Spain at the Melilla border, 13 December*

SRI LANKA

Democratic Socialist Republic of Sri Lanka

Head of state and government: **Ranil Wickremesinghe**
(replaced Gotabaya Rajapaksa in July)

The government intensified its crackdown on dissent as thousands of people protested against the dire economic situation. The rights to freedom of expression and peaceful assembly came under fierce attack by law enforcement agencies, which at times used unlawful force leading to deaths and injuries. Protesters were arbitrarily arrested, detained using draconian counterterrorism legislation, and ill-treated in custody. Serious human rights violations committed during the internal armed conflict remained unaddressed. Families of people forcibly disappeared continued to seek truth and justice. Amendments to the Prevention of Terrorism Act failed to address key human rights concerns, and Muslims and Tamils continued to be targeted under the Act.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Sri Lanka's economic crisis had a devastating impact on human rights, with inflation rising to 73.7% in September, and 85.8% for food. Access to food, healthcare and education were gravely impacted, and existing social security programmes were inadequate to address growing needs. Fuel shortages prompted power outages for up to 13 hours a day. People with precarious jobs who relied

on daily wages were particularly affected by the economic situation.

FREEDOM OF EXPRESSION, ASSOCIATION AND ASSEMBLY

The state's crackdown on dissent worsened rapidly when people took to the streets to protest against the economic crisis. From late March, hundreds of protesters gathered outside government buildings and residences of the political elite. Despite the protests being largely peaceful, the authorities used various means to restrict freedom of expression, association and peaceful assembly.

States of emergency were declared on at least three occasions in April, May and July; the last one lapsed in mid-August.

Emergency regulations published alongside the states of emergency gave sweeping powers to the authorities to arrest and detain people without due process or judicial oversight. On 9 May, the peaceful protest site outside the Presidential Secretariat was attacked by pro-government supporters. In response, anti-government groups launched retaliatory attacks. According to authorities, nine people died in the ensuing violence, including an MP, and more than 220 people were injured.

Law enforcement authorities regularly sought pre-emptive court orders against protests without reasonable basis, or refused to grant permission for planned demonstrations, violating the right to freedom of peaceful assembly.

The government remained in discussions to amend the Voluntary Social Services Organizations Act. The proposed amendments would restrict the right to freedom of association, potentially hampering the operations of NGOs, for example through lengthy registration processes, imposing fines and imprisonment for non-registration, and giving powers to authorities to suspend, ban and dissolve NGOs.

ARBITRARY ARRESTS AND DETENTIONS

On numerous occasions, law enforcement authorities arbitrarily arrested protesters

without following due process, sometimes in abduction-style arrests conducted by plain-clothed officers without warrants. Reasons for arrest and information on the location of detention were frequently not provided. These abduction-style arrests violated the right to liberty and security of the person and the right to a fair trial, placing detainees outside the protection of the law and at risk of torture and other ill-treatment.

Authorities used the states of emergency and criminal laws, including the Prevention of Terrorism Act and the Public Properties Act, to quash protests and punish those taking part. Protesters including human rights defenders, trade unionists and students were charged with participating in “unlawful assemblies”. Some were also given travel bans or selectively charged with offences relating to acts of civil disobedience.

The use of the Prevention of Terrorism Act (PTA), Sri Lanka’s draconian counterterrorism legislation, against protesters was excessive and disproportionate. In August, President Ranil Wickremesinghe approved the detention of three student protest leaders under the PTA. Charges against Hashan Jeewantha were dropped in October. Siridhamma Thero was released on bail in November. Wasantha Mudalige remained in detention at the end of the year.

EXCESSIVE USE OF FORCE

There were multiple instances of excessive and unnecessary force being used against people queuing for fuel. In May, the Ministry of Defence authorized the armed forces to open fire on looters or “anyone causing harm to others”. The army was mobilized to police civilian protests on multiple occasions.

The misuse of tear gas and water cannon became commonplace in response to demonstrations, affecting protesters, including children, and bystanders. Such tactics caused at least one death at a protest in July. Live ammunition was fired at protesters on multiple occasions, leaving one person dead and over 20 injured in April in Rambukkana, and several others critically injured in the capital, Colombo, in July. Also

in July, journalists covering a protest in front of the president’s residence were assaulted by security forces on live television.

On 21 July the military, police and special forces conducted a joint night-time operation without warning to forcefully remove protesters sleeping in tents outside the Presidential Secretariat and a handful of protesters who had occupied the Secretariat. Protesters, along with journalists covering the incident, were beaten. The area was closed off, preventing further access by the media, lawyers and activists. More than 50 people were reportedly injured and nine people were arrested. Some of those arrested alleged that they were tortured or otherwise ill-treated in custody.

In July, a man was killed at the Kandakadu Rehabilitation Centre, a facility in North Central Province mainly used to detain drug addicts. A post-mortem revealed that his death was caused by injuries inflicted all over his body by a blunt weapon. Members of the armed forces were arrested over the incident. In September, the government introduced a draft law, the Bureau of Rehabilitation Bill, which would authorize the compulsory detention of “drug dependent persons” involuntarily in military-run “rehabilitation” centres.

IMPUNITY

The PTA, which had been used in previous years to facilitate torture, enforced disappearances and prolonged detention without trial, remained in use despite government assurances of a moratorium. Amendments to the PTA in 2022 failed to bring it in line with international law and standards, as it continued to facilitate the prolonged detention of suspects without charge, among other concerns.

The authorities made no progress in bringing to justice in fair trials before ordinary civilian courts all those suspected of criminal responsibility concerning allegations of violations of international human rights and humanitarian law during the three decades-long conflict. Emblematic cases made no notable progress. In light of Sri Lanka’s

failures to provide redress to victims of crimes under international law and grave human rights violations, the UN Human Rights Council passed a resolution in October extending the mandate and capacity of OHCHR's Sri Lanka Accountability project to collect, consolidate, analyse and preserve information and evidence for future accountability processes.

RIGHT TO TRUTH, JUSTICE AND REPARATION

Domestic transitional justice bodies, including the Office on Missing Persons and the Office on Reparations, lost the confidence of victims' families further after being undermined by the appointment of members not deemed independent. Families complained of being surveilled, intimidated, and restricted from holding peaceful protests and memorialization initiatives, while being pressured to accept financial compensation and death certificates in lieu of certificates of absence until the fate of those forcibly disappeared could be ascertained.

The government showed renewed interest in setting up a truth and reconciliation commission to address the grievances of those affected by the war. However, such a process had yet to be set up in line with the findings of public consultations on reconciliation mechanisms by the end of the year.

Domestic redress mechanisms including the National Human Rights Commission remained politicized. In October, the legislature passed an amendment to the Constitution, ostensibly to make appointments to key commissions more independent. However, the council that makes such appointments required nomination by a majority of government members, bringing the independence of their appointments into question. The Global Alliance of National Human Rights Institutions recommended that the National Human Rights Commission be downgraded due to its lack of independence, amongst other concerns

DISCRIMINATION

LGBTI PEOPLE'S RIGHTS

In a landmark decision, in March the CEDAW Committee found that the criminalization of consensual same-sex sexual conduct between women under Section 365A of Sri Lanka's Penal Code (1883) violates their right to non-discrimination. The CEDAW Committee called on the Sri Lankan authorities to decriminalize consensual same-sex sexual conduct between women. A Private Member's Bill seeking to amend the Penal Code provisions that criminalize same-sex conduct was handed to the president in August, but did not receive government support by the end of the year.

MINORITY RIGHTS

Muslim and Tamil minorities remained disproportionately affected by the use of the PTA. Even in cases where suspects were released on bail, who included Hejaaz Hizbullah, Ahnaf Jazeem, Davaniya Mukunthan and Mohamed Imran, their livelihoods remained affected by bail conditions which included the freezing of their assets and restrictions on livelihood-generating activity.

SUDAN

Republic of Sudan

Head of state and government: **Abdel Fattah al-Burhan**

Security forces continued to use excessive force against protesters, killing dozens and injuring thousands of others. Protesters, including women and children, were unlawfully detained and ill-treated; and some were forcibly disappeared. Hundreds of civilians were killed and injured by militia groups in the West Darfur region. Ali Mohammed Ali went on trial at the ICC on charges of war crimes and crimes against humanity carried out in West Darfur. Freedom of expression was severely restricted, and the internet was shut down ahead of mass protests. Women protesters faced sexual assault and harassment. Large numbers of people faced acute hunger due